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# REVISED BY-LAWS

—OF THE—

## CITY OF HAMILTON.

FROM THE DATE OF ITS INCORPORATION IN 1847, TO  
THE 31st DAY OF JULY 1899, INCLUSIVE,

Comprising 1st Series from 1 to 295, Special Series 1 to 6, Second Series 1 to 382,  
Chapters 1 to 80 of the Consolidated By-Laws 1887, and the current  
series to 1018, passed 31st July, 1899.

### AN APPENDIX

CONTAINING CERTAIN BY-LAWS GRANTING FRANCHISES, BONUSES AND TAX  
EXEMPTIONS AND BY-LAWS PASSED BY THE BOARD OF COMMISSIONERS OF  
POLICE, THE BOARD OF GOVERNORS OF THE CITY HOSPITAL, THE BOARD  
OF MANAGERS OF THE HAMILTON CEMETERY, AND CERTAIN STATUTES  
OF CANADA AND ONTARIO RELATING TO THE CITY.

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REVISED BY SAMUEL H. KENT, ASSISTANT CITY CLERK.



J V. TEETZEL, ESQ., Q. C., MAYOR.

1899.  
HAMILTON PUBLIC LIBRARY

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## PREFACE.



The By-Laws of the City of Hamilton were first Revised and Consolidated in the year 1852, by a special Committee of which the late James Cahill Esq., Police Magistrate, being a Councillor at that time, was Chairman.

The Second Revision and Consolidation of the By-Laws was made in the year 1869, by Thomas Beasley Esq., City Clerk.

In the year 1887, the By-Laws were again Revised and Consolidated by Geo. S. Papps Esq., LL. B., Barrister-at-Law, and were arranged by him in chapters, numbered 1 to 80 inclusive.

On the 27th of March last the undersigned was directed by the City Council to revise the By-Laws of the City, and he has now great pleasure in presenting this work to the Council. While doing so, he desires to say that he is under deep obligation to F. MacKelcan, Esq., Q. C., City Solicitor, for his able assistance and valuable advice throughout the preparation and progress of the work and to Thos. Beasley Esq., City Clerk for his suggestions and co-operation.

It was considered desirable to adopt the title "By-Law" rather than "Chapter" for each separate enactment and to submit practically a new set of By-Laws, commencing with number one (1) and ending with number sixty-eight (68), containing all the enactments of general application.

The appendix consisting of six parts contains:

1st.—By-Laws granting certain franchises to Street and Electric Railway Companies, The Bell Telephone Company and the Cataract Power Company.

2nd.—By-Laws granting bonuses to certain companies.



3rd.—By-Laws granting certain tax exemptions (the constant reference to which was considered a sufficient reason for reprinting them in full).

4th.—By-Laws of the Board of Commissioners of Police.

5th.—By-Laws and regulations of the Board of Governors of the City Hospital and of the Board of Managers of the Hamilton Cemetery.

6th.—Certain Acts of the Parliament of Canada and of the Legislature of Ontario, affecting the City of Hamilton or the interests of the Corporation.

The schedule of By Laws contains all By-Laws from number 1 passed in 1847 to number 1018 passed 31st July 1899, in the order in which they were passed, with a reference shewing whether they have been repealed or are effete or in force.

The Index has been made very comprehensive and embraces all the subjects contained in the work.

The undersigned, in submitting this work, trusts that it will be useful and convenient to the members of the Council, as well as to the general public.

HAMILTON, 1899.

S. H. KENT.

## MAYORS OF THE CITY OF HAMILTON.

COLIN C. FERRIE, - - - 1847	JAMES E. O'REILLY, - - 1869
GEORGE S. TIFFANY, - - 1848	GEORGE MURISON, - - - 1870
W. L. DISTON, - - - 1849	D. B. CHISHOLM, - - 1871, 1872
JOHN FISHER, - - - 1850	BENJ. E. CHARLTON, - 1873, 1874
JOHN R. HOLDEN, - - - 1851	GEORGE ROACH, - - 1875, 1876
NEHEMIAH FORD, - - - 1852	F. E. KILVERT, - - 1877, 1778
W. G. KERR, - - - 1853	JAMES E. O'REILLY, 1879, 1880, 1881
JAMES CUMMINGS, (3 months), 1854	CHARLES MAGILL - - 1882, 1883
CHARLES MAGILL, (9 months), 1854-1855	J. J. MASON, - - 1884, 1885
JAMES CUMMINGS, - - - 1856	ALEX. MCKAY, - - 1886, 1887
JOHN F. MOORE, - - - 1857	WM. DORAN, - - 1888, 1889
GEO. H. MILLS, - - - 1858	DAVID McLELLAN, - - 1890, 1891
HENRY MCKINSTRY, 1859, 1860, 1861	PETER C. BLAICHER, - 1892, 1893
ROBT. McILROY, - 1862, 1863, 1864	A. D. STEWART, - - 1894, 1895
CHARLES MAGILL, - - 1865, 1866	GEO. E. TUCKETT, - - - 1896
BENJ. E. CHARLTON, - - 1867	E. A. COLQUHOUN, - - 1897, 1898
HUTCHINSON CLARK, - - - 1868	J. V. TEETZEL, - - - 1899

MEMBERS OF THE CITY COUNCIL  
FOR THE YEAR 1899.J. V. TEETZEL, ESQ., Q. C., *Mayor*.

W. T. EVANS, )	J. W. BOARD, )
H. G. WRIGHT, )	PETER BAYNE, )
W. J. REID, )	G. S. KERR, )
THOS. HOBSON, )	M. D. NELLIGAN, )
ROBT. GRIFFITH, )	JAS. MASSIE, )
M. H. TENEYCK, )	JAS. DWYER, )
W. M. FINDLAY, )	W. J. McFADDEN, )
WM. NICHOLSON, )	WM. HILL, )
H. H. HURD, )	WM McANDREW, )
J. G. Y. BURKHOLDER, )	
R. C. PETTIGREW, )	
T. J. STEWART, )	
	Ward 7.



BOARD OF EDUCATION, CITY OF HAMILTON  
FOR 1899.

PUBLIC SCHOOLS.

Ward No. 1.	-	-	-	-	-	-	W. J. GRANT,
" 1.	-	-	-	-	-	-	DAVID DEXTER,
" 2.	-	-	-	-	-	-	S. F. LAZIER,
" 2.	-	-	-	-	-	-	J. W. JONES,
" 3.	-	-	-	-	-	-	J. J. MASON,
" 3.	-	-	-	-	-	-	HENRY NEW,
" 4.	-	-	-	-	-	-	S. J. WHITEHEAD,
" 4.	-	-	-	-	-	-	WM. CLUCAS,
" 5.	-	-	-	-	-	-	F. F. DALLEY,
" 5.	-	-	-	-	-	-	ADAM ZIMMERMAN,
" 6.	-	-	-	-	-	-	ALEX MCPHERSON,
" 6.	-	-	-	-	-	-	H. S. BRENNEN,
" 7.	-	-	-	-	-	-	GEO. C. HOLDEN,
" 7.	-	-	-	-	-	-	THOS. H. PRATT,

COLLEGIATE INSTITUTE.

ALEX. MCPHERSON, <i>Chairman.</i>	ALEX. TURNER,
W. H. McLAREN,	A. WOOLVERTON, M. D.,
HUGH MURRAY,	JAMES CHISHOLM,
WM. BELL,	ED. FURLONG,

OFFICERS.

THOS. BEASLEY,	-	-	-	-	-	-	-	-	-	-	-	<i>Secretary.</i>
S. H. KENT,	-	-	-	-	-	-	-	-	-	-	-	<i>Assistant-Secretary.</i>
A. STUART,	-	-	-	-	-	-	-	-	-	-	-	<i>Treasurer.</i>
CHAS. SMITH,	-	-	-	-	-	-	-	-	-	-	-	<i>Messenger.</i>

BOARD OF COMMISSIONERS OF POLICE  
FOR 1899.

COLIN G. SNIDER,	-	-	-	-	-	-	-	-	-	-	<i>Judge County Court, Chairman.</i>
J. V. TEETZEL, Q. C.	-	-	-	-	-	-	-	-	-	-	<i>Mayor.</i>
GEO. FREDERICK JELFS,	-	-	-	-	-	-	-	-	-	-	<i>Police Magistrate.</i>

## BOARD OF GOVERNORS OF THE CITY HOSPITAL.

GEO. ROACH, *Chairman.* J. V. TEETZEL, Q. C., *Mayor.*  
 JOHN BILLINGS, GEO. RUTHERFORD, ALEX. H. MOORE.  
*Alderman* M. H. TENEYCK. T. H. PRATT.

## BOARD OF MANAGERS OF THE HAMILTON CEMETERY.

ALDERMAN JOS. W. BOARD, *Chairman.*  
 J. M. EASTWOOD, JAMES DONALD, SENECA JONES.  
 W. J. KINGDON, JOHN J. MASON, ALFRED POWIS.

## LOCAL BOARD OF HEALTH.

THOS. CROOKS, *Chairman.*  
 ALDERMAN ROBT. GRIFFITH, J. C. BOLIGAN, W. H. JUDD.  
 JOS. KIRKPATRICK, RICHARD RAYCROFT.  
 J. V. TEETZEL, Q. C., *Mayor.*

## OFFICERS OF THE CORPORATION.

FRANCIS MACKELCAN Q. C., City Solicitor.

THOS. BEASLEY, City Clerk.  
 SAMUEL H. KENT, Assistant City Clerk  
 H. L. BARR, Clerk.  
 ARCH. P. KAPPELE, Clerk.

ALEX. STUART, City Treasurer.  
 W. R. LECKIE, Assistant Treasurer.  
 ALEX. STUART, JR., Clerk.

GEO. FREDK. JELFS, Police Magistrate.  
 ALEX. SMITH, Chief of Police.

ALEX. AITCHISON, Chief of Fire Dept.

E. G. BARROW, Consulting Engineer  
 and Manager of the Water Works  
 and Chief Engineer of the Sewage  
 Disposal Works.

E. B. WINGATE, City Engineer.

J. R. HEDDLE, Draughtsman.

CHARLES M. STEWART, Clerk.

JNO. T. HALL, Assessment Commissioner.

LUCIAN HILLS,  
 FRANK R. HUTTON, } Assessors.  
 JOHN B. NELLIGAN, }

WILLIAM MONK, Tax Collector.

ANDREW T. NEILL, Asst. Tax Collector.

R. V. MATHEWS, Clerk.

GEO. HOPKIN, Clerk.

JNO. MORROW, Clerk.

THOMAS MORRISON, Clerk.

WM. A. KERR, Chief Clerk of Water Works.

ALFRED JAMES, Clerk.

ROBERT GRIFFITH, Clerk.

JOHN SMELLIE, Clerk.

WM. CONNELL, Clerk.

WM. C. BRENNEN, Clerk Board of Works and Sewers Committee.

JAMES MCFARLANE, Mechanical Engineer, Water Works.

WM. ANSTEY, General Foreman of Water Works.

ISAAC RYALL, M. D., Medical Health Officer.

JNO. PEACOCK, }  
 LEWIS McDONALD, } Sanitary  
 GEO. POTTER, } Inspectors.

CHAS. SMITH, City Messenger.

JNO. McMENEMY, Relief Officer.

# BY-LAWS

OF THE

## CITY OF HAMILTON,

OF GENERAL APPLICATION.

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### BY-LAW No. 1.

### BY-LAW 1.

*To Regulate the Proceedings in the Municipal Council of the City of Hamilton, and in the Committees thereof, and to define the duties of the Standing Committees.*

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THE Council of the Corporation of the City of Hamilton enacts as follows :

1. The Regular Meetings of the Council shall, unless otherwise ordered, be held on the second and last Monday of every month at eight o'clock p. m., unless said Monday be a public holiday, in which case the meeting shall be at the same hour on the next following day not being a public holiday. If there be no quorum present within half an hour after the time appointed for the meeting, the Council shall stand adjourned until the next regular day of meeting, subject to rule No. 3 of this by-law.

Regular meet-  
ings of Council.

If no quorum  
present, Council  
stands adjourned.

2. When at any session of the Council the hour of 11 o'clock p. m. shall be reached the Mayor or presiding officer shall declare the Council adjourned, and leave the chair ; should the Council be in Committee of the whole at that hour, the Committee shall rise and ask leave to sit again at a future meeting of the Council.

Meetings to  
close at 11 o'clock  
p. m.

3. Whenever a meeting may be required for special business, it shall be called by his worship the Mayor, at such time as he may deem requisite ; or at the request of any twelve members of the Council, the Clerk shall summon the meeting, and it shall not be competent to consider or decide upon any matter at a special meeting, unless such matter has been fully explained in the notice calling the meeting.

Special meetings  
of Council to be  
called by the

Mayor or by Clerk  
on requisition of 12  
members.



**BY-LAW 1.**

Quorum of  
Council.  
Reading  
of minutes.

4. As soon as a quorum (to consist of at least twelve members) is assembled, the chair shall be taken and the proceedings of the meeting commenced by the Clerk reading the minutes of the last regular meeting and any intermediate special meetings.

Adjournment  
no quorum.  
Names to be  
recorded.

5. Whenever an adjournment takes place in consequence of there not being a quorum present, the names of the members present shall be inserted in the records of the Council.

Mayor or pre-  
siding officer to  
decide points of  
order.

6. The Mayor or other presiding officer shall preserve order and decorum, and decide upon questions of order, subject to an appeal to the Council, and shall state the rule applicable to the case, if required.

In absence of  
Mayor, Chairman  
to be chosen.

7. If the Mayor is not in attendance, the Clerk shall call the meeting to order and a Chairman shall be chosen who shall preside until the arrival of the Mayor.

Chairman to be  
chosen to preside  
during absence of  
Mayor.

8. In the absence of the Mayor one of the Aldermen present shall be chosen to preside, and shall take the Chair and preside during the absence of the Mayor, and at the meeting only at which he has been so chosen.

Order of  
business

9. The business of the Council shall be taken up in the following order :

Reading of Minu-  
tes.

1st.—Reading of Minutes.

Presentation of  
petitions, &c.

2nd.—Presentation of petitions and memorials.

Reading of  
petitions, &c.

3rd.—The reading of the same by the Clerk.

Presentation of  
reports.

4th.—The presentation of reports from the Standing Committees, according to seniority, and Special Committees, according to date of appointment.

3rd reading of  
By-Laws.

5th.—The third reading of By-laws.

Reference of  
petitions, &c.

6th.—The reference of memorials or petitions by the Mayor or presiding officer, to their appropriate Committees, without motion.

Order in which  
reports are to be  
considered.

7th.—The consideration of the reports of the Standing in the order stated in section 37, and of Special Committees according to seniority unless with the unanimous consent of the members present.

1st Reading of  
By-Laws.

8th.—The first reading of By-laws. \*

Business of  
which notice has  
been given.

9th.—The consideration of any business of which notice has been given at a previous meeting.

10th.—The second reading of By-laws, and their consideration in Committee of the whole.

**BY-LAW 1.**

2nd reading of By-Laws in Committee of the whole.

9. Notice, in writing, of intention to introduce any measure or resolution, may be given at any time during the meeting, and shall always be entered on the order of the day.

Notices of Motion.

10. No business of moment shall be determined until it has been reported upon by the appropriate Committee, unless it may appear that the Committee has neglected to fulfil its duty.

No business of moment to be decided until reported on by appropriate Committee.

11. Every motion or resolution shall be in writing, and be read by the mover (who alone may make introductory remarks thereon), and when duly moved and seconded, and stated by the Mayor or presiding officer, shall be open for consideration.

Motions to be in writing.

Motions to be read by mover who may make introductory remarks.

12. After a resolution has been duly stated, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time, with the sanction of the Council.

Motions may be withdrawn with consent of Council

13. When any resolution is under consideration, no motion shall be received unless to adjourn, to lay on the table, the previous question, to postpone, to refer or to amend; which shall have precedence in the foregoing order.

Proceedings during debate.

14. A motion for reference, until it is decided, shall preclude all amendment of the main question.

Reference motion for.

15. The previous question, until it is decided, shall preclude all amendment of the main question, and shall be put without debate, in the following words: "That this question be now put." If this motion be resolved in the affirmative, the main question shall be put forthwith, without any amendment or debate; but if the previous question be resolved in the negative, the main question may then be debated and amended.

Previous question.

16. A motion to adjourn the Council or to adjourn the debate shall always be in order and need not be in writing, and shall be decided without debate; no second motion to the same effect shall be made until after some intermediate proceeding shall have been had.

Motion to adjourn.

17. When any member desires to speak, he shall rise in his place and address his remarks to the Mayor, or presiding officer, confine himself to the question, and avoid personality. Should more than one member rise at once, the Mayor or presiding officer shall determine who is entitled to the floor.

Addressing the Council.

Two members rising at once.

**BY-LAW 1.**

Members not to speak to same question more than once.

Mover of resolution permitted to reply.

Explanation of remarks misunderstood.

Calling members to order.

Appeal from decision of chair.

Members present to vote unless excused or interested.

Voting to be announced, and not by ballot or other secret method.

Members speaking not to be interrupted.

Members may require question to be read.

By-laws how to be introduced.

By-laws shall have three readings, but not more than two readings on same evening, unless with unanimous consent.

Clerk to certify reading of by-law.

**18.** No member, other than the one proposing a question or motion (who shall be permitted to reply), shall speak more than once without the leave of the Council, except in explanation of a material part of his remarks, which may have been misunderstood, but then he is not to introduce new matter. A reply is allowed to a member who has made a substantive motion, but not to any member who has moved an amendment, the previous question, or an instruction to a committee.

**19.** The Mayor or any member may call a member to order while speaking, and the debate shall then be suspended, and the member shall not speak until the point of order is determined; any member may appeal from the decision of the chair. All appeals shall be decided without debate.

**20.** Every member present, when a question is put, shall vote thereon, unless the Council shall excuse him, or unless he be personally interested in the question, in which case he shall not be obliged to vote.

**21.** Whenever a division is taken, either upon the appointment of an officer of the corporation, the election of a presiding officer of the Council, or upon a by-law, resolution, or for any other purpose, each member of the Council present voting, shall announce his vote upon the question, openly and individually in the Council, and the clerk shall record the same; and no vote shall be taken by ballot or by any other method of secret voting.

**22.** When the Mayor or presiding officer is putting a question, no member shall walk out of or across the house; when a member is speaking, no other member shall hold discourse which may interrupt him, nor pass between him and the chair.

**23.** Any member of the Council may of right require the question or motion under discussion to be read for his information at any period of the debate, but not so as to interrupt a member speaking.

**24.** Every proposed by-law must be introduced by a motion for leave, specifying the title of the by-law, or by a report of a committee, and shall be decided without debate.

**25.** Every proposed by-law shall receive three several readings, but not more than two on the same evening, unless with the unanimous consent of the members present. The Clerk shall certify the reading and the time on the back of the by-law.



**26.** Any member presenting memorials or other papers addressed to the Council shall be accountable that they do not contain improper or impertinent matter, and no such memorial or other paper shall be read unless endorsed by the member presenting it.

**BY-LAW 1.**

Petitions or Memorials not to contain impertinent matter.

(1) Any member who shall present any petition, or make any application, or offer any scheme to or for consideration by the Council, in writing, with his name endorsed thereon, shall be at liberty to press and urge the same before any Committee to which the same may be referred.

Members endorsing petitions or schemes to Council are at liberty to urge same before any Committee to which the same may be referred.

(2) When any petition, application or scheme with the name of any member endorsed thereon, shall be referred to any Committee, such member shall be duly notified of the meeting or meetings of the Committee at which the same is to be heard, considered or resolved upon, in the same manner as if he were a member thereof.

Members endorsing petitions, etc. to be notified of committee meeting.

**27.** The mover of a Special Committee shall be a member of the same, and, whenever any measure is referred to a Special Committee, the introducer of the measure shall be a member of the Committee instructed to consider it.

Mover of special committee, a member thereof. Introducer of measure referred to special committee to be a member thereof.

**PROCEEDINGS IN COMMITTEE OF THE WHOLE.**

**28.** Whenever it shall be moved and resolved that the Council go into Committee of the Whole upon any question, the Mayor or presiding officer shall leave the Chair and appoint a Chairman of the Committee, who shall report their proceedings to the Mayor or presiding officer on his resuming the Chair. The rules of the Council shall be observed in the Committee of the Whole, except the rules relating to divisions, and limiting the number of times of speaking.

Order of going into Committee of the whole.

Chairman to be appointed by the Mayor.

**29.** A motion in Committee, to rise and report shall be decided without debate, and need not be in writing.

Motion to rise and report.

**30.** A motion in the Committee of the Whole to rise without reporting; or that the Chairman leave the Chair, shall always be in order and shall take precedence of any other motion. On such motion debate shall be allowed, and on an affirmative vote the subject referred to the Committee shall be considered as disposed of in the negative, and the Mayor shall resume the Chair and proceed with the next order of business.

Motion to rise without reporting

**31.** No money appropriation shall be finally acted upon by the Council until it shall have been referred to the Standing Committee on Finance, except by a vote of two-thirds of the Council; and no money shall be paid by the Treasurer until ordered by the Council, such order being

No money appropriation to be finally acted upon until referred to Finance committee, or money paid until ordered by Council.

**BY-LAW 1.**

Treasurer to pay Interest Coupons, Coroner's Orders for inquests and pay lists on presentation.

signed by the Mayor. or, in case of his absence, by the Chairman of the Finance Committee, except coupons for Interest on Debentures, Coroner's Orders for Inquests, and Pay Lists, which he is hereby authorized to pay on presentation ; the latter being first signed by the Chairman of the Committee by which such pay lists are usually audited.

Blanks in by-laws to be first filled with highest sum and longest time proposed.

**32.** When a blank is to be filled in any By-law, Report or Resolution, the question shall be first taken on the highest sum or number, and on the longest time proposed.

Appointment to office, order of voting on.

**33.** In all motions for the appointment of any person to any office in the gift of the Council, the Candidates shall be voted on separately in the order in which they are proposed.

Reconsideration of question.

No question to be reconsidered more than once.

**34.** After any question, except one of indefinite postponement, has been decided, any member who voted in the majority may, at the same, or at a subsequent meeting, move for a re-consideration thereof, but no discussion of the main question shall be allowed unless re-considered ; nor shall any question be re-considered more than once.

Suspension of Rules.

**35.** Any one or more of these rules may be at any time temporarily suspended, with the consent of two-thirds of the members present.

Points of Order not provided to be decided according to Canadian Parliamentary procedure.

**36.** All points of order or procedure, not provided for in the preceding rules, shall be decided in accordance with the rules of parliamentary procedure of the Canadian House of Commons.

Appointment of standing committees.

**37.** There shall be annually appointed, at the first meeting of each newly elected Council, the following Committees which shall compose the Standing Committees of the Council :

1st.—Board of Works.

2nd.—Market, Police, Jail and License.

3rd.—House of Refuge.

4th.—Court House.

5th.—Fire and Water.

6th.—Parks and Beach.

7th.—Sewers.

8th.—Harbour.

9th.—Finance, Printing, Assessment, Railway and Legislation.

# **BY-LAW 1.**

Each Committee to consist of seven aldermen, except the Court House Committee, which shall consist of the Mayor and six aldermen.

Composition of standing committees.

38. Each Committee shall, at its first meeting, fix the day and hour for its regular meetings during the year.

Regular meetings of standing committees.

39. Meetings of Committees shall be called by the City Clerk on request of the Chairman, or, in his absence, on request of the Mayor.

Committee meetings, how called.

## **REGULATIONS FOR CONDUCTING BUSINESS IN COMMITTEES.**

40. The business of the Standing and Special Committees shall be conducted under the following regulations :

Regulations for committees.

(1) The Chairman shall preside and shall have a vote on all questions submitted and in case of an equal division the question shall be decided in the negative.

Chairman to preside and vote. equal division to negative question.

(2) The Chairman shall sign all orders, accounts, pay lists and documents which the Committee may legally pass.

Chairman to sign orders, accounts, pay lists, etc.

(3) In the absence of the Chairman one of the other members shall be elected to preside, and shall discharge the duties of the chairman during the meeting, or until the arrival of the Chairman at such meeting.

Absence of Chairman.

(4) The Minutes of the transactions of every Committee shall be accurately entered in a book provided for that purpose.

Minutes to be recorded.

(5) The Rules of Order of the Council while in Committee of the whole shall, as far as practicable, be observed by the Standing and Special Committees.

Rules of Order for Committees.

41. The general duties of the Standing and Special Committees shall be :

General duties of standing committees.

(1) To report to the Council from time to time, as often as the interest of the City may require, all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto, as may be deemed necessary or expedient.

To report to Council.

(2) To have prepared and to introduce into the Council all by-laws deemed necessary to give effect to such of their reports or recommendations as are adopted by the Council.

To have By.Laws prepared to give effect to reports.



**BY-LAW 1.**

To give effect to By-Laws that relate to respective duties.

(3) To give effect through the proper officers to all by-laws and resolutions of the Council that relate to the duties of the Committee.

To examine accounts for work and materials.

(4) To examine all accounts connected with the performance of any works or the purchase of any materials or goods under their supervision.

To report on all matters referred by Council or Mayor.

(5) To consider, and report upon all matters referred to them by the Council or by the Mayor.

To adhere to By-laws of Council.

(6) To adhere strictly, in the transaction of all business to the rules prescribed by the by-laws of the Council.

**BOARD OF WORKS.**

Duties of Board of Works.

**42.** In addition to the duties prescribed by section 41 of this by-law, or by any other by-law of the city, the duties of the Board of Works shall be as follows :

To have care and supervision of streets, lanes, alleys, bridges, surface drains, sidewalks and street lamps.

(1) To have the care and supervision of the streets, lanes, alleys, bridges, surface drains, sidewalks and street lamps, in or belonging to the corporation of the City of Hamilton, other than the markets, parks and public squares, and to give directions for the repairing and preservation of such streets, lanes, alleys, bridges, surface drains and sidewalks, and to cause them to be repaired, maintained, cleaned, improved, managed and cared for from time to time as may be necessary.

Repairs of streets, lanes, alleys, bridges, surface drains and sidewalks.

**MARKETS, POLICE, JAIL AND LICENSE COMMITTEE.**

Duties of the Market, Police and Jail Committee.

**43.** In addition to the duties prescribed by section 41 of this by-law or any other by-law of the City, the duties of the Market, Police, Jail and License Committee shall be :

To manage and regulate Markets and Weigh houses

(1) To manage and report on all matters relating to the regulation of the Public Markets and Weigh-houses and the cleaning of the Markets.

To regulate and report on levying and collection of Market and Weigh house fees, and rental of Market Stalls.

(2) To regulate and report on the levying and collection of the Market and Weigh House fees, and the rental of the Market Stalls.

To regulate matters connected with the Jail.

(3) To regulate and report on all matters connected with the City Jail.

To regulate matters connected with Licenses.

(4) To regulate and report on all matters connected with Licenses issued by the Corporation, except Milk and Dairy Licenses.

## HOUSE OF REFUGE COMMITTEE.

## BY-LAW 1.

**44.** In addition to the duties prescribed by section 41 of this By-law or by any other By-law of the City, the duties of the House of Refuge Committee shall be :

Duties of the House of Refuge Committee.

(1) To manage the House of Refuge and the buildings and grounds connected therewith, and to admit to the House of Refuge from time to time such persons as the Committee may consider worthy of admission.

To regulate matters connected with the House of Refuge.

Admittance to House of Refuge.

## COURT HOUSE COMMITTEE.

**45.** In addition to the duties prescribed by section 41 of this By-law or any other By-law of the City, the duties of the Court House Committee shall be :

Duties of the Court House Committee.

(1) To manage in conjunction with the members of the Court House Committee appointed from time to time by the Council of the County of Wentworth, the Registry Office and Court House and the public squares connected therewith, according to the terms of an agreement between the City and the County, dated 17th day of October 1895, a copy of which is herein contained or of any further agreement between the City and County.

To manage in conjunction with committee from the County, the Court House and Registry Offices and property. Agreement with County of Wentworth re Court House etc.

THIS AGREEMENT made this 17th day of October, 1895

BETWEEN,—

The Corporation of the County of Wentworth, herein called "The County,"

of the First Part,

and

The Corporation of the City of Hamilton, herein called "The City,"

of the Second Part.

Witnesseth that the County and the City hereby covenant and agree together as follows :

(1) For and during the term of five years computed from the first day of January, 1895, the County shall bear and pay thirty per cent. as their just share or proportion, and the City shall bear and pay seventy per cent. as their just share or proportion of the following charges and expenses. :

County to pay 30%

City to pay 70%.

(a) All charges and expenses enumerated in Section 469 of the Consolidated Municipal Act, 1892, except such as relate to the gaol, and all such charges and expenses as

Court House Expenses.

<b>BY-LAW 1.</b>	may during said period of five years by any Act of the Legislature of the Province of Ontario be required to be borne and paid by the County for judicial purposes, and of which a city or town separated from a county shall be required to bear a share or proportion.
Jury Expenses.	(b) The expenses incurred by the County for the payment, summoning, drafting, selecting and enrolling of jurors.
Administration of Justice Expenses.	(c) All other fees, charges or expenses of the administration of justice or connected therewith which the County are required to pay in the first instance, and of which the City are required by law to bear a share or proportion, including the fees of the auditors of the accounts for the administration of criminal justice, (and the salary of the Caretaker of the Court House.) <i>See Council Minutes 9th December, 1895.</i>
Registry Office Expenses.	(d) All costs, charges and expenses which the County are required to bear or pay under Section 9 of the Registry Act, 1893, as it now is or as it may during said period of five years be amended.
Account payable monthly	(2) The County are to make all necessary payments for these purposes, and to render to the City every month an account of the expenditure under these several heads during the preceding month, and the City are to pay the same to the County within a month thereafter.
Use of Court House for Division Courts.	(3) The Court House may be used for the holding of the Division Courts for the divisions which comprise the City of Hamilton without any sum being payable to the City in respect thereof.
Control of Expenditure vested in Committee.	(4) The control of the expenditure in and about the matters dealt with by this agreement and the management of the Court House building and the grounds connected therewith, shall be vested in a committee of twenty members, composed of the Warden and *nine other members of the Council of the County and the Mayor and *nine other members of the Council of the City.
Chairman of Committee.	The Chairman of such Committee for the year 1896, and for each alternate year thereafter, shall be one of the County representatives, and for each of the other years one of the City representatives.
Meetings of Committee how called.	Meetings of the Committee shall be called by the Clerk of the County Council when so required by the Chairman of the Committee, or by notice signed by any five members of the Committee. Two clear days' notice in writing of every meeting shall be given by letter addressed to each

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\*"Nine" amended to read "six," Feb. 18th, 1899.



member and mailed in the post office, Hamilton, with postage prepaid.

BY-LAW 1.

And whereas in the year 1891 certain portions of the Township of Barton were annexed to the City of Hamilton, and certain matters of account may exist as to what the City should pay to and receive from the County in respect thereof:

Township of Barton portions annexed.

Now therefore it is hereby agreed between the County and the City that no claim shall be made by the one against the other for or in respect of any matters of account or any other matters arising out of such annexation, and the County and the City do hereby mutually release and discharge each other from all claims and demands whatsoever arising or which may arise out of such annexation.

No claim to be made by City or County.

In witness whereof the respective parties have hereunto set their Corporate Seals under the hand of their respective officials in that behalf.

Signed, Sealed and delivered,  
in the presence of

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#### FIRE AND WATER COMMITTEE.

46. In addition to the duties prescribed by Section 41 of this By-law or by any other By-law of the City, the duties of the Fire and Water Committee shall be:

Duties of the Fire and Water Committee.

(1) To manage and report on the Fire Department of the City, and the buildings and property connected therewith.

To manage the Fire Dept. and buildings.

(2) To manage and report on all matters relating to the Water Works of the city and the property of the city connected therewith.

To manage the Water Works.

#### PARKS AND BEACH COMMITTEE.

47. In addition to the duties prescribed by Section 41 of this by-law, or by any other by-law of the city, the duties of the Parks and Beach Committee shall be:

Duties of the Parks and Beach Committee.

(1) To manage and report on all matters connected with the lighting, care and preservation of grounds set apart for public parks, gardens, boulevards or swimming baths, and to prevent encroachments thereon; also to manage and report on all matters connected with fencing,

To manage the Public Parks and Beach Property and the Swimming Baths.

**BY-LAW 1.**

ornamenting and preserving of the public parks, boulevards and gardens, and to carry out all works connected therewith as the Council may authorize.

**SEWERS COMMITTEE.**

Duties of the  
Sewers  
Committee.

**48.** In addition to the duties prescribed by Section 41 of this by-law, or by any other by-law of this city—the duties of the Sewers Committee shall be :

To manage the  
City Sewerage  
and Gully Drains.

(1) To manage and report on all matters connected with the sewerage and gully drains and the sewage disposal works of the city, and to examine and consider all matters relative to the thorough, systematic and effective drainage of the city, and the proper carrying off and disposal of all sewage.

**HARBOUR COMMITTEE.**

Duties of the  
Harbour Commit-  
tee.

**49.** In addition to the duties prescribed by Section 41 of this by-law, or by any other by-law of this city, the duties of the Harbour Committee shall be :

To report on all  
matters relating  
to the regulation  
and improvement  
of the City's Har-  
bour.

(1) To give special attention to and report on all matters relating to the regulation and improvement of the City Harbour, and to the removal of obstructions therein, and to the establishment and maintenance of lights and buoys necessary for the safe navigation of the harbour and to keep the Council informed from time to time of the condition and requirements of the harbour with respect to such matters.

**FINANCE COMMITTEE.**

Duties of the Fin-  
ance Committee.

**50.** In addition to the duties prescribed by Section 41, of this by-law or by any other by-law of this city, the duties of the Finance Committee shall be :

To prepare the  
annual estimates.

(1) To report to the Council on or before the last Monday in February, the estimated receipts and expenditure for the current year.

To regulate all  
matters connected  
with the receipt  
and payment of  
money.

(2) To regulate all matters connected with the receipt and payment of money, and to order the adoption of such regulations in connection therewith as may be deemed necessary, and generally to manage the financial affairs of the Corporation

To consider and  
report on all mat-  
ters connected  
with Railway  
Stock, Bonds  
Securities.

(3) To consider and report as often as may be necessary on the management of all matters connected with railway stocks, bonds or other securities held by or belonging to the Corporation.

(4) To consider and report on all matters relating to railways in which the city may be interested.

**BY-LAW 2.**

To consider and report on all Railway matters.

(5) To consider and report on all matters relating to the printing required to be done for the Corporation.

To consider and report on all matters relating to Printing.

(6) To consider and report on all matters relating to the assessment of the city.

Assessment.

(7) To consider and report on all matters for which it may be necessary for the city to seek, promote or oppose legislation.

Legislation

(8) All matters not designated as belonging or appertaining to any of the foregoing Committees shall belong to and be under the control of the Finance Committee, unless the Council shall refer the same to some other Committee.

All matters not designated as belonging to any other Committee to be considered by Finance Committee.

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## BY-LAW No. 2.

*To provide for the signing of orders, cheques and other instruments in the absence of the Mayor.*

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**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

**1.** During the absence from the City of the Mayor, such person as may from time to time hold the position of Chairman of Finance, is hereby authorized and required to sign, on behalf of the City Corporation, all orders for payment of money, cheques, agreements and other instruments requiring the signature of the Mayor, and is further authorized and required, in conjunction with the City Clerk, to attach the Corporate Seal of the City of Hamilton to all such instruments as may require to be executed by the City under seal, but nothing herein contained shall effect the provisions of the Municipal Act as to the signing and sealing of By-laws passed by the Council.

In absence of Mayor, Chairman of Finance to sign orders, cheques, etc.

BY-LAW 3.

BY-LAW No. 3.

*Relating to the duties of certain officers of the Corporation of the City of Hamilton.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Officers to hold office during pleasure of Council.

1. All officers appointed by the Council, shall be deemed to hold their respective offices during the pleasure of the Council.

Duties prescribed are in addition to those prescribed by Statute.

2. The duties prescribed by this By-law to the various officers of the Corporation shall be in addition to those prescribed by Statute, or by any other By-law of the Council.

OFFICE HOURS.

Office Hours.

3. The several offices of this Corporation in the City Hall, shall be opened every day (Sunday and legal holidays excepted) at 9 a. m., and closed at 5 p. m., except on Saturdays, when they may be closed at 1 p. m. ; during said hours the officials shall be on duty, except one hour for lunch, which shall be so arranged by the head of each department that his office shall at no time during said office hours be left without at least one officer or clerk in attendance.

CITY TREASURER.

4. The following shall be the duties of the Treasurer :

Treasurer to see that monies are promptly paid over.

(1) He shall see that all Officers of this Corporation, in receipt of monies for or on behalf of this City, do promptly pay the same over to him, and he shall report to the Mayor or Finance Committee any Officer failing in his duty in this respect.

Deposit of Money.

(2) He shall deposit at least once a week all monies received by him on behalf of this Corporation in such of the City Banks as the Council may from time to time direct, under such heads as the Finance Committee shall name.

Shall attend Finance Committee when required.

(3) He shall attend all meetings of the Finance Committee when required, and assist such Committee to the best of his ability in the discharge of its duties.

Report to Finance Committee monies overdue.

(4) He shall report to the Finance Committee all monies overdue and owing from whatever source to this Corporation, and under the direction of the Council, institute such proceedings as may be necessary to recover the same.



(5) He shall keep in his possession the bond of the City Clerk.

**BY-LAW 3.**  
Treasurer to keep bond of City Clerk

(6) He shall countersign all Licenses issued by the City Clerk. No license shall be valid unless countersigned by the City Treasurer.

To countersign all licenses.

(7) He shall in no case pay money to any party owing money to this City, without first deducting the amount due by such party to this Corporation.

To deduct any money owing to City.

(8) He shall collect monthly all rent of the Stalls of the Central and John Street Markets, and all rents of stores, tenements or other property of the City Corporation.

To collect rent of Market Stalls, Stores, etc.

(9) He shall give as security for the faithful performance of his duties and especially for duly accounting for and paying over all monies which may come into his hands as City Treasurer, a Guarantee Bond for \$25,000, such Bond to be satisfactory to the Finance Committee. He shall pay the premium on \$10,000 of the Guarantee Bond.

Bond.

(10) The City Treasurer on payment of the price of a lot sold in the Cemetery shall make out a deed therefor, and the Mayor shall execute the same and cause the corporate seal of the City to be thereto affixed.

To make deed of lots sold in Cemetery.

#### CITY CLERK.

#### 5. The following shall be the duties of the City Clerk:

(1) He shall attend all meetings of the Council and record in a book, without note or comment, all resolutions, decisions and other proceedings of the Council. He shall keep in his possession the books, records and accounts of the Council, and attend to the necessary and required correspondence, in conformity with instructions from the Council.

To attend meetings of Council and record proceedings and conduct correspondence.

(2) He shall convene all meetings of the Council whenever required by competent authority.

To call meetings of Council.

(3) He shall call all meetings of the different Committees, whenever required to do so by the Chairman or by the Mayor in the Chairman's absence.

To call meetings of Committees.

(4) He shall be the custodian of all deeds, securities, leases and other documents of value belonging to the City, except his own bond, and shall not allow any of them to go out of his possession without permission of the Mayor or Chairman of Finance, or on the requisition of the City Solicitor for use in any legal proceeding, or on the order of a court of law, and when given out by such authority a receipt shall be taken therefor.

Custodian of all deeds, securities, &c.

**BY-LAW 3.**

To issue licenses

(5) He shall issue all licenses on behalf of this City, except milk or dairy licenses.

Bond.

(6) He shall give as security for the due and faithful discharge of the duties of his office, a Guarantee Bond for \$2,000, such bond to be satisfactory to the Finance Committee, the premium on the Bond to be paid by the City.

**CITY SOLICITOR.**

**6.** The following shall be the duties of the City Solicitor:

To attend Council and Committee meetings when requested.

(1) The City Solicitor shall attend at all meetings of the Council when requested by the Mayor or the City Clerk, and at all meetings of Committees when notified by the Chairman or City Clerk.

Who may consult.

(2) The Mayor, the City Clerk and the Chairmen of the several Committees or any member of the Council, shall be at liberty to consult the City Solicitor and obtain his opinion or advice upon any question with regard to which they have been instructed by the Council or by any Committee to do so, or upon which the Mayor, City Clerk or any Chairman of a Committee may desire legal advice for the benefit of the Council or the Committee.

To prepare and revise all By-laws and report on titles, and prosecute or defend actions or other legal proceedings.

(3) The City Solicitor shall prepare or revise all by-laws and instruments which the Council, or any committee, or the Mayor or any Chairman of a committee may instruct him to prepare or revise, and shall under like instructions, examine and report upon the titles to any properties which may be purchased by the city, and prosecute or defend any actions or other legal proceedings to which the City Corporation may be a party.

To take proceedings respecting Legislation.

(4) The City Solicitor shall also take all such proceedings as the City Council may direct for obtaining any legislation desired by the Council either in the Parliament of Canada or the Legislature of Ontario, and shall prepare and forward such necessary notices and draw up such Acts of the Parliament of Canada or the Legislature of Ontario as the Council may desire him to promote, and shall attend before any Committee of such Parliament or Legislature to advocate or defend such proposed legislation whenever the City Council shall so direct.

Board of Health may consult.

(5) The Chairman and Members of the Board of Health shall have the same right to consult the City Solicitor as the Chairman or members of any Committee of the Council, and any services which may be rendered by the City Solicitor to the Board of Health, shall be regarded in the same manner as if rendered to the City Corporation under this By-law.

## TAX COLLECTOR.

## BY-LAW 3.

7. The following shall be the duties of the Collector of Taxes: Duties of the Tax Collector.

(1) He shall, under the direction of the Finance Committee, collect, in accordance with the statutes, and the by-laws of the Council, such taxes, water rates, sewer rentals, and other rates and charges and assessments, as may from time to time be levied by this Corporation. To collect Taxes, Water Rates, Sewer Rentals and other rates.

(2) He shall give as security for the faithful performance of his duties, and especially for the duly accounting for and paying over to the City Treasurer all monies which may come into his hands as Tax Collector, a Guarantee Bond for \$15,000, such bond to be satisfactory to the Finance Committee, the premium on the bond to be paid by the City. Bond.

## POLICE CLERK.

8. The following shall be the duties of the Police Clerk: Duties of Police Clerk.

(1) He shall collect promptly and pay over to the City Treasurer monthly, all fines and fees imposed by said Court belonging to the Corporation. To collect all Fines and Fees.

(2) He shall make a quarterly return on the first days of January, April, July and October in each year, of all fines and fees remaining unpaid. To make quarterly returns of unpaid Fines.

CONSULTING ENGINEER AND MANAGER AND CHIEF  
ENGINEER OF THE WATERWORKS AND  
SEWAGE DISPOSAL WORKS.

9. The following shall be the duties of the consulting Engineer and Manager and Chief Engineer of the Water Works and Sewage Disposal Works: Duties of consulting Engineer and Manager of Waterworks and Sewage Disposal Works.

(1) He shall give such advice and information as may be in his power, when consulted by the City Engineer or by the Mayor or by any Chairman of a Committee, with reference to matters within his professional knowledge as a civil engineer or which have come to his knowledge in the course of his employment by the City Corporation. To give advice and information when consulted by City Engineer or by any Chairman.

(2) He shall exercise a general supervision over the entire Hamilton Waterworks system and shall see that all necessary repairs are promptly attended to and that all extensions or additions to the works which may be sanctioned by the City Council, shall be substantially laid down or constructed, and drawn or delineated on a map of the city, and that all water services are duly inspected and the inspection recorded. To exercise general supervision over Water Works System. To have necessary repairs promptly attended to, and extensions substantially constructed and delineated on map.

**BY-LAW 3.**

To see that officers of Water Works Department perform duties.

(3) He shall see that all officers and men employed by the Waterworks Department properly perform their duties, and shall report all irregularities, if any, to the Waterworks Committee.

To attend Meeting of Water Works Committee and keep all maps, plans, etc., filed and indexed.

(4) He shall attend the meetings of the Waterworks Committee and shall keep all maps, plans and papers in his office correctly and properly filed and indexed, so that at any time reference may be easily made thereto, and shall at all times be subject to the direction of the Waterworks Committee as instructed by the Council.

To have charge of Sewage Disposal Works and employees.

(5) He shall have the superintendence and control of the Ferguson avenue and Wentworth street Sewage Disposal Works and any other such works which may be established by the City, and all appointments and dismissals made by the Engineer in charge of any of said works shall be subject to his approval and may be cancelled or revoked by him.

**CITY ENGINEER.**

**10.** The following shall be the duties of the City Engineer:

To have care and management of Construction and Repairs of Streets, Sidewalks, Crossings, etc.

(1) Under and subject to the control of the Board of Works and Sewers Committee respectively, and of the City Council, the City Engineer shall have the care and management of the construction and repairs of streets, pavements, sidewalks, crossings, alleys, culverts, surface drains, and sewers and gully drains, and his duties with regard thereto shall be as hereinafter defined.

To have charge of all works ordered by Board of Works or Sewers Committee.

(2) The City Engineer shall have the charge and direction of all works undertaken at the instance or by order of the Board of Works or Sewers Committee, or of the City Council and shall give such orders as may be necessary or proper for the carrying out of such works, and shall employ all inspectors, foremen, sub-foremen and workmen that may be required for such works, and shall have power to suspend or dismiss any of them whenever he may deem fit to do so.

To employ all Inspectors, Foremen and Workmen, with power to suspend or dismiss.

Assistant Engineers to be under control of City Engineer.

(3) The Assistant Engineers heretofore appointed, or who may from time to time be appointed by the City Council, shall be subject to the control and direction of the City Engineer, and shall perform such duties and carry out such works as he shall from time to time order or direct, and he shall have power to suspend any such assistant engineer, reporting such suspension to the Board of Works and Sewers Committee respectively at the next meeting thereafter, and such suspension shall continue until otherwise ordered by the Board of Works and Sewers Committee, or by the City Council.

City Engineer to have power to suspend Assistants, to report suspensions.



(4) The City Engineer shall cause constant, systematic and careful inspection to be made of all the streets, pavements, sidewalks, crossings, alleys, culverts, surface drains, and sewers and gully drains, that are under the jurisdiction of the City Corporation, and a record to be kept of such inspections, and shall cause all temporary repairs that are immediately required to be promptly made, and he shall also when, in his opinion, reconstruction or renewal or permanent repairs are necessary or desirable, report thereon in writing to the City Council, with an estimate of the probable cost thereof, and shall carry out any of such works of reconstruction or renewal or permanent repair as may be directed by the City Council.

**BY-LAW 3.**

To cause inspection of all Streets, Pavements, Sidewalks, etc.

Record to be kept of same.

To cause temporary repairs to be promptly made.

To report to Council when permanent repairs or reconstruction necessary with estimate of cost.

(5) The City Engineer shall keep a record in his office in a book called the "Complaint Book" of all complaints made to him or to his department of the defective condition or want of repair of any street, sidewalk, pavement, crossing, alley, culvert, surface drain or sewer, or gully drain, and shall bring all such complaints before the Board of Works or Sewers Committee at the earliest opportunity.

Complaint Book to be kept.

Report of Complaints to be made to Board of Works or Sewers Committee

(6) Before undertaking any works of construction or permanent repair, the City Engineer shall report thereon in writing to the Board of Works or Sewers Committee with an estimate of the probable cost thereof and shall carry out or direct the carrying out of any such work whenever the Board of Works or Sewers Committee or the City Council shall so order.

To report to Board of Works or Sewers Committee before undertaking works of construction or permanent repairs with estimate of cost.

(7) The entire appropriations of the Board of Works and Sewers Committee respectively shall be expended over the whole City in accordance with the recommendations from time to time made by the City Engineer, but no new and important work within the control of these committees respectively shall be undertaken without being first submitted to and approved by the City Council.

Appropriations of Board of Works and Sewer Committee to be expended in accordance with recommendation of City Engineer.

(8) The City Engineer shall have the supervision of all works undertaken in, upon or under any of the City streets by contractors or by corporations or persons, other than the City Corporation or its officers or employees, and shall from time to time report to the Board of Works or Sewers Committee whenever he may deem it necessary or desirable to do so with reference thereto.

City Engineer to have supervision of all works done by contract.

(9) The City Engineer shall attend all meetings of the Board of Works and Sewers Committee respectively and shall also attend any meeting of the Council when so requested by the Mayor or by the Chairman of either of said Committees and shall also furnish the City Solicitor with all documents and information required by him in connection with City matters.

To attend meetings of Committee and of the Council when requested by the Mayor or Chairman of Board of Works or Sewers Committee.

**BY-LAW 3.**

To report at first Regular Meeting in month as to all work done and expenditure made to date.  
To report on all matters under his charge or supervision, when deemed necessary by him, or on request of Chairman of Board of Works or Sewers Committee.

City divided into four districts.

District Foreman.

(10) The City Engineer shall, at the first regular meeting in every month, and also at all other times when so required, report in writing to the Board of Works and Sewers Committee respectively as to all work done and expenditures made or incurred up to that date, and as to all matters under his charge or supervision upon which he may deem it necessary or desirable to make such report or with respect to which any such report may be requested by the Board of Works or Sewers Committee or by the Chairman thereof.

(11) For the more efficient discharge of the duties of the City Engineer's Department, the City shall be divided into four districts, for each of which a foreman, to be called the "District Foreman," shall be appointed by the City Engineer, such districts to be constituted as follows :

District No. 1.

District No. 1.—Comprising all that portion of the city lying south of Cannon Street and east of James Street, including the whole of James Street south of the northerly limit of King Street to the brow of the mountain and the James street mountain road.

District No. 2.

District No. 2.—Comprising all that portion of the City lying south of King Street and west of James Street, including the whole of King Street west of James.

District No. 3.

District No. 3.—Comprising all that portion of the City lying north of King Street and west of James Street, including the whole of James Street north of King.

District No. 4.

District No. 4.—Comprising all that portion of the City lying north of Cannon Street and east of James Street, including the whole of Cannon Street east of James.

District Foreman to make inspections and keep daily record of inspections.

To report to City Engineer all defects or want of repairs.

To superintend all men in district in work of repair, etc To assist with his own labor.

(12) It shall be the duty of each district foreman to make constant and systematic inspection of all streets, pavements, sidewalks, crossings, alleys, culverts, surface drains and sewers, and gully drains in his district, and to cause a daily record of such inspections to be kept and to report forthwith to the City Engineer as to any defect or want of repair therein, and to cause all necessary repairs to be made without delay, and to keep a record of such repairs, and to do all other work in his district which the City Engineer may direct, and each District Foreman shall superintend all the men in his district in the work of repairing, macadamizing and cleaning of streets and alleys and laying of sidewalks or crossings and repairing culverts, surface drains and sewers, and gully drains, and shall at all times assist with his own labor in all such work.

District Foreman subject to dismissal by City Engineer.

(13) Every District Foreman shall be subject to dismissal by the City Engineer, and every such dismissal shall be reported to the Board of Works and Sewers Committee respectively at the next meeting thereafter.

(14) The men and teams (if satisfactory to the City Engineer) required for macadamizing and ordinary repairs shall be employed in the district in which they reside.

**BY-LAW 3.**

Men and teams (if satisfactory to City Engineer) to be employed in district in which they reside.

**ASSESSMENT COMMISSIONER.**

**11.** The following shall be the duties of the Assessment Commissioner :

Assessment Commissioner's duties.

(1) He shall, in addition to the duties imposed upon him by statute, make and complete on or before the first day of January in each year, the necessary Assessment Book required by the Water Works department.

To make Water Works Roll.

(2) He shall on or before the first day of December in each year, after proper examination and inspection, report to the City Clerk what real property will be immediately benefited by the construction of any local improvement, work or service, and the proportion in which the assessment is to be made on the various portions of real estate so benefited.

To make local improvement Assessments.

(3) He shall before the 31st day of December in each and every year prepare and return to the Collector of taxes the sewer rental assessment and roll required by secs 7 and 8 of By law No. 54.

To make Sewer Rental Assessment and Roll.

**ENGINEER IN CHARGE OF SEWAGE DISPOSAL WORKS.**

**12.** The following shall be the duties of the Engineer in charge of the Ferguson Avenue and Wentworth Street Sewage Disposal Works :

Engineer in charge of Sewage Disposal Works, duties of

(1) He shall have charge of the entire plant at the Disposal Works and their operation, including engines, boilers, pumps, mixers, filter presses, tanks, etc., and shall see that they are in good running order, and also that all the sludge is properly sent into the sludge well, and the sludge properly disposed of.

To have charge of entire plant

(2) He shall see that the chemicals are thoroughly slacked before being introduced into the sewage, and that the proper proportions are used ; also that a sufficient amount of coal, oil and waste for running the machinery and lime and alumina for purifying the sewage are kept on hand.

To see that chemicals are properly mixed, and that a supply of materials is kept on hand.

(3) He shall have control of all the men employed at the works both as to hiring and discharging and recommend their rate of wages, but shall notify the Chief Engineer as to such appointments and the reasons for any dismissals.

To have control of all men, both as to hiring and discharging and to recommend rate of wages.  
To notify Chief Engineer of appointments and dismissals.

**BY-LAW 3.**

To make application to Chief Engineer for requisite materials.

Clerk of Department to issue orders therefor.

(4) He shall make application to the Chief Engineer for all requisite materials, such as fuel and chemicals, and the requisitions therefor shall be issued by the Chief Engineer and be signed by the Chairman of the Sewers Committee ; the Clerk of the Department shall issue the orders for the materials.

To keep engines, boilers, pumps, etc., in good repair and complete running order.

(5) He shall keep the engines, boilers, pumps, and all plant and machinery connected with the works in good repair and in complete running order.

Annual Report to Chief Engineer.

(6) He shall make an annual report to the Chief Engineer and be subject to him.

To be responsible for economical working of Disposal Works.

(7) He shall also be responsible for the economical working of the Disposal Works.

**GENERAL.**

Officers of Corporation not to engage in other business during office hours.

**13.** No officer of this Corporation shall, during office hours, be employed in any other business or vocation than that belonging to his office, except the City Solicitor and except service rendered to the School Trustees by the Treasurer, City Clerk and Messenger.

Officers in receipt of monies to pay over to Treasurer weekly.

**14.** All Officers of this Corporation in receipt of monies for or on behalf of the City shall pay the same over to the Treasurer at least once a week, except where otherwise specified in this By-law.

Purchase of supplies.

**15.** No Officer shall purchase any articles in excess of the value of \$2.00 on behalf of this Corporation, unless authorized by the Chairman of the Committee of that department for which the articles may be required, unless the city's interests will materially suffer by delay.

Officers to see that accounts are rendered monthly

**16.** It shall be the duty of every Officer to see that accounts are rendered once a month for all purchases made by him for the Corporation.

Heads of Departments to see that Assistants properly discharge their duties. Disobedience to be reported to Mayor or Council.

**17.** It shall be the duty of the heads of the various departments of this Corporation to see that their assistants or employees are efficiently discharging their duties ; disobedience or neglect of duty shall be at once reported to the Mayor or Council.

Notice of dismissal  
Improper conduct

**18.** One month's notice in writing shall be deemed a sufficient notice of dismissal to any Officer, and all salaries shall cease at that time, but in case of summary dismissal for improper conduct, the service and salary shall cease at once.



19. Every Officer of this Corporation entrusted with monies or valuable documents, shall give good and sufficient security for such trust and for the proper performance of the duties of his office

**BY-LAW 4.**

Officers to give security.

20. It shall be incumbent on all Officers of this Corporation, to ascertain what duties are devolving upon them by the Provincial Statutes, and perform the same.

Officers to ascertain duties.

21. The head of each department will be held responsible for the performance of all the duties connected with his department.

Head of Department responsible for performance of duties of Department.

22. All salaries and allowances to the Officers of the Corporation shall remain as now fixed or regulated until hereafter altered by the Council, and every person now holding any office or appointment under the authority of the Council, shall continue to hold the same during the pleasure of the Council.

Salaries of Officers.

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### BY-LAW No. 4.

*To regulate the duties of the Caretaker of the City Hall.*

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THE Council of the Corporation of the City of Hamilton enacts as follows :

1. Charles Hurton is hereby continued as Caretaker of the City Hall, and his duties as such caretaker shall be as follows :

Charles Hurton  
Caretaker.

(1) He shall have the care and charge of the whole building, (excepting the rooms occupied by the Board of Education) and of the boilers and all steam apparatus connected therewith.

To have care and charge of whole Building except Board of Education rooms.

(2) He shall attend to the proper lighting of the building, and shall see that all lights are turned out when not required.

Lighting of Building.

(3) He shall keep every part of the building clean and in good order, and shall clear away the snow and ice from the steps and sidewalks, take in coal when delivered, and have the same properly stowed and trimmed.

To keep building clean.  
To clear away Snow and Ice.

(4) The cleaning, sweeping and dusting in the City Hall shall be done at such times as will not interfere with the occupants of the building, but shall not be done on Sundays.

Cleaning of building.

**BY-LAW 5.**

Living Apart-  
ments.

(5) He shall occupy such rooms in the building as are set apart for him, and generally obey all orders given him by the Mayor or the Chairman of the Market Police and Jail Committee.

To provide help at  
own expense.

(6) He shall provide, at his own expense, all help required for the work hereinbefore mentioned, including the scrubbing and washing in the City Hall, cleaning windows, furnaces and boilers, and clearing off snow and ice, and any assistance or substitute required during the Caretaker's holidays.

Salary.

2. The Caretaker shall be paid at the rate of \$500 per annum for his own services, and \$300 per annum for the services of his wife as assistant, and at the rate of \$400 per annum for all additional help required by him for the work hereinbefore mentioned, the same to be paid monthly, being at the rate of \$100 per month.

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## BY-LAW No. 5.

*Defining the duties of the Caretaker of the Central Market*

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**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

To keep Market  
clean.

1. The Caretaker of the Central Market shall sweep, every day, the Central Market and the roadways and pavements in and around the same, and also the Central Market Hall and remove therefrom all refuse and other matters of an offensive nature or untidy appearance and keep said market and market hall and the waterclosets and urinals in the market grounds in a clean and tidy, and good sanitary condition.

Remove Snow and  
Ice.

(1) He shall also, in the winter time, remove the snow and ice from the said market and the said roadways, pavements and market hall, or level the same down, as may be directed by the Market Committee,

Further duties.

(2) He shall also perform such further duties connected with his office as the Council shall from time to time direct.

To provide help at  
own expense.

2. The Caretaker shall pay for all assistance required for doing the work hereinbefore specified, except that the City Corporation will provide a snow plough or scraper to assist in removing deep snow from the market grounds, roadways and pavements, when such removal is deemed necessary by the Market Committee.

3. George Durand is hereby continued as caretaker of the Central Market during the pleasure of the Council, his remuneration to be at the rate of sixty dollars a month, which shall cover and include all expenses incurred by him for assistance.

**BY-LAW 6.**

Geo. Durand caretaker.

Salary.

**BY-LAW No. 6.**

*To define the duties of the Relief Officer.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. The Relief Officer shall attend at his office in the City Hall daily, between the hours of 9 and 10 o'clock a.m. and 2 and 3 o'clock p.m., and longer, if necessary, to hear such applicants for charity as may present themselves.

Office Hours.

2. He shall issue no orders for relief unless he is thoroughly satisfied that the persons applying are needy and deserving citizens.

To issue no orders unless applicants are needy.

3. He shall personally visit the homes of such persons as apply for relief and who are strangers to him, and shall further make enquiries from such neighbors and others as may have knowledge of the persons whom it is proposed to relieve, with a view of ascertaining whether such applicants are worthy or not.

To visit homes of applicants and make enquiries.

4. All orders which he may from time to time issue to applicants shall be signed by the Mayor, but nothing herein contained shall prevent the Relief Officer from dealing with cases of emergency, and he is hereby authorized to grant immediate relief in such cases.

Orders to be signed by Mayor, except in cases of emergency.

5. He shall keep a book which is to be fully entered up each day, showing the number of applicants for charity, together with the names and addresses of those relieved by him, the dates on which relief was granted, the amount of relief granted, the number in each family relieved, the names of the merchants on whom relief orders are given, and such other information as may from time to time be deemed useful or necessary.

Record of applicants and relief granted, etc.

6. He shall at the first meeting of the Finance Committee in every month submit a comprehensive statement of the work done by him as Relief Officer, and each report so presented shall be embodied in the next report of the Finance Committee to the City Council.

To attend Finance Committee and report.

**BY-LAW 6.**

To prevent imposition, report to Mayor.

Keep record of such persons.

7. He shall at all times be vigilant with a view of preventing undeserving or improper persons from imposing upon the City, and when cases of fraud or imposition are discovered by him he shall at once acquaint the Mayor of the circumstances relating thereto, and shall enter in a book to be kept by him for that purpose the names and addresses of such persons and the reasons why he does not consider them entitled to relief.

Clothing and food sent for distribution.

8. He shall take charge from time to time of all clothing, food and other articles which may be from time to time sent to him for distribution among the poor of the City.

Orders for groceries to be distributed.

9. When issuing orders for groceries, provisions, fuel or other relief, he shall distribute such orders, as far as possible, equally amongst the merchants and store-keepers of the City, so that none may be unduly favored, but that all may have an equal share of such orders as are being given out.

In emergent cases to recommend admission to Hospital.

10. He shall have power in cases of emergency to recommend the admission into the City Hospital of any person who may stand in need of treatment, and the Resident Physician of the City Hospital shall honor such recommendation, if he is of opinion that the case is one requiring medical treatment.

To visit, quarterly, Charitable Institutions.

11. He shall visit at least once in every three months all inmates in the various Charitable Institutions in the City, for whose maintenance the City is paying, and he shall make a report once in every quarter to the Finance Committee showing the names of all such cases, the institutions in which they are housed, the dates of admission of such inmates, and, in the case of children the occupations and addresses of their parents, if living, together with a report upon the circumstances of the parents, relatives or friends of such inmates, with a view of determining whether the cases are such as should still be maintained by the City,

Special emergency relief to residents only.

12. Except in cases of special emergency, he shall give relief only to residents of the City.

Not bound to disclose source of information, except to Mayor or Chairman of Finance.

13. The Relief Officer shall not be bound to disclose the source of any information which he may from time to time receive regarding any case which may come under his notice, but nothing herein contained shall prevent him from giving full information, when asked therefor, to the Mayor or to the Chairman of the Finance Committee or authorize him to withhold such information from them.

Under control of Mayor.

14. The Relief Officer shall be under the immediate control and direction of the Mayor.



BY-LAW 7.

BY-LAW No 7.

*To classify Clerks in the employ of the City Council.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. All Clerks, not Heads or Deputy Heads of Departments, now employed in the several offices of this Municipality in the City Hall, shall be classed as follows, and that the salary rate be on the following scale from the 1st day of December 1896 :

Clerks, classification of.

SCALE AND CLASSIFICATION.

Class.	After 8 years service.	After 12 years service.	After 15 years service.	
1st assistant	\$750	\$850	\$900	Scale.
2nd assistant	700	750	800	
3rd assistant	600	650	700	
4th assistant	500	550	600	

2. The minimum salary of all clerks shall be \$400 per annum with an annual increase of \$50 until the salary fixed in the above scale for eight years is reached and thereafter the salary shall be according to the said scale and classification, provided always, that this By-law shall not have the effect of reducing the salary at present paid to any clerk and shall not apply to female clerks.

Salary.

3. Clerks hereafter appointed, and those in Departments where there is no Deputy-head, shall be rated in the same class as second assistants.

Clerks where no Deputy Head.

4. The clerks shall be classified by the several heads of Departments, and such classification be submitted to the Finance Committee for approval. The 1st, 2nd, 3rd and 4th assistants shall respectively be known as the 1st, 2nd, 3rd and 4th clerks under the Deputy Heads.

Heads of Departments to classify Clerks.

5. No person shall hereafter be eligible for appointment as a clerk in any office of this Corporation in the City Hall unless he holds a qualifying Civil Service certificate, or one of equal value, including the subject of Book-keeping, and is over 20 and under 30 years of age.

Applicants to hold Certificate.

Age of Applicants.

## BY-LAW 8.

## BY-LAW No. 8.

*To regulate the time for payment of salaries.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Salaries payable  
semi-monthly.

1. All officers and employees of this Corporation who are paid by salaries shall receive payment of such salaries semi-monthly, on the first and fifteenth days of each month, except that the payments which would become due on the first days of January and July shall be made not less than two clear days before such dates.

Wages payable  
weekly

2. All other employees of the Corporation shall be paid weekly as at present.

## BY-LAW No. 9.

*For regulating the periods for taking the Assessment, the revision of the rolls by the Court of Revision and by the County Judge, and also for regulating the time for payment of the annual Rates and Taxes.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Assessment when  
to be taken.

1. The assessment of the ratable property, real and personal, of this municipality shall be taken between the first day of July and the thirtieth day of September in each year, and the assessment rolls shall be returnable to the City Clerk on the first day of October in each year.

Court of Revision  
when to close sit-  
tings.

2. The time for closing the Court of Revision shall be the fifteenth day of November, and for final return by the Judge of the County Court the fifteenth day of December in each year.

Assessment,  
adoption of

3. The assessment so made and concluded shall be adopted by the Council of the following year as the assessment on which the rate of taxation for said following year shall be levied.

Collector's Roll,  
time for delivery.

4. The Collector's Rolls shall be made out and delivered to the Collector on or before the first day of June in each year.

5. The rates under the "City of Hamilton Debentures Act 1893" shall be due and payable on or before the fifteenth day of December in each year, and if not paid within two months thereafter an addition of twenty-five per cent. shall be made thereto as provided for by said Act, and the Collector shall have the like powers for levying the said addition to the rates as he had for levying the said rates.

**BY-LAW 10.**

Debenture rates due 15th Dec.

25% added if not paid within two months.

6. The City and School Rates shall be due and payable on the first day of August in each year.

School rates due Aug 1st.

7. An addition of five per cent. shall be made to all City and School Rates which shall remain unpaid after the fourteenth day of September, and such additional percentage charge shall be collected by the Collector as if the same had originally been imposed and formed part of such unpaid rates or taxes.

5% added if unpaid after 14th September.

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**BY-LAW No. 10.**

*Respecting the assessment of paddocks, parks, lawns, gardens and pleasure grounds.*

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**T**HE Council of the Corporation of the City of Hamilton enacts as follows:

1. All ground not held for the purposes of sale, but bona fide enclosed and used in connection with a residence or building as a paddock, park, lawn, garden or pleasure ground, shall be assessed like other ground.

Assessment of paddocks, parks, lawns, etc.

## BY-LAW 11.

## BY-LAW No. 11.

*Respecting Tax Reductions on Vacant Tenements.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. Where a tenement has been vacant during more than three months in any year, the Court of Revision may, upon a petition presented under section 74 of the Assessment Act, allow a reduction at the rate of two per cent. per month for any period beyond three months of such vacancy, upon so much only of the taxes as may be chargeable in respect of the value of the buildings upon the property assessed.

Tax reductions  
for vacancy.

On value of build-  
ings only.

## BY-LAW No. 12.

*To fix the time for the return of the Collector's Rolls.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. All rolls delivered to the Collector of taxes of this City during any year for the collection of taxes, special rates, water rates, sewer rates or sewer rentals shall be returned to the City Treasurer on or before the thirtieth day of April in the next year after the receipt of such rolls by the Collector.

Collector's Rolls,  
time for return of  
to Treasurer.

2. All local improvement rates and all sewer rentals shall be payable on the first day of May in each year, and five per cent. shall be added to all local improvement rates and sewer rentals, which shall remain unpaid after the fourteenth day of September in the year in which the same are payable.

Local rates due 1st  
May each year.

5% added if un-  
paid after 14th  
September.



## BY-LAW No. 13,

## BY-LAW 13.

*To appoint an Inspector under the act respecting noxious weeds.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. Edward MacLoughlin, is hereby appointed an inspector to enforce in this municipality the provisions of the act to prevent the spread of noxious weeds, being chapter 279 of the revised statutes of Ontario 1897. Inspector.

2. The expenses incurred in carrying out the provisions of the said act with respect to each parcel of land entered upon for the cutting down and destroying of noxious weeds growing thereon, may be demanded in the manner provided for by the said act, and all sums allowed and paid by the council, under the provisions thereof, shall be severally placed upon the collector's roll of the municipality against the lands described in the statement of the Inspector and shall be collected in the same manner as other rates imposed by By-laws of the municipality. Expenses incurred in carrying out Act to be entered on Collector's Roll.

3. The provisions of the said Act, Chapter 279 of the Revised Statutes of Ontario, 1897, are hereby extended to the noxious weeds, commonly known as the wild clover or sweet clover, marsh mallow, milk weed or cotton weed, golden rod, yarrow, mullen and wild lettuce, and to thistles of all kinds. Weeds designated as noxious.

## BY-LAW No. 14.

*To provide for the weighing of Coal.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. It shall and may be lawful for the Market Committee, and they are hereby authorized to procure and cause to be erected, in suitable and convenient places within the city, so many sets of scales as may be required to properly and effectually carry out this By-law, according to its true intent and meaning. Coal, weighing of.  
Market Committee to provide Weigh Scales.

**BY-LAW 14.**

Coal Inspectors.

To give Certificate of Weight.

2. Each of said scales shall be placed in charge of some competent person, to be appointed by this Council and to be designated "Coal Inspector," whose duty it shall be to attend during all reasonable business hours at such scale and weigh all coal presented for that purpose, and thereupon give each person having coal weighed, a certificate or ticket in the form hereto appended, or such other form as may from time to time be authorized by this Council, stating correctly the weight, and bearing his signature.

Inspector to weigh loads without delay.

3. The Inspector shall, without any unreasonable delay, weigh the several loads of coal brought to the scales under his charge in the order in which they shall be presented.

To keep record of coal weighed and report to Market Committee.

4. The Inspector shall keep a correct record of all coal weighed by him in a book provided for that purpose, stating the name of the person for whom weighed, the weight and date of weighing; and shall, on the first Monday in each month, report to the Market Committee the number of loads of coal weighed by him during the preceding month.

Inspector not to traffic in coal.

5. The Inspector shall not, directly or indirectly, trade or traffic in coal.

Coal to be weighed before delivery.

6. No person shall, upon or after sale thereof in this city, deliver any coal from a waggon or other vehicle (except as hereinafter mentioned), or cause the same to be so delivered, without first having the same weighed upon one of the city scales in accordance with the provisions of this By-law: and the vendor of the coal, and the person actually delivering the same, shall be severally liable for any breach of this enactment, or of the provision contained in the next succeeding section of this By-law.

Coal Waggons to be weighed before delivery of coal.

Driver to produce certificate of weight of waggon, if required.

(1) It shall be the duty of every owner, and of every driver or person in charge of any waggon or other vehicle upon or from which any coal shall be delivered in this city to or for a purchaser, to cause the same to be weighed upon one of the city scales within one day next before the delivery of any such coal, and also whenever any inspector of city scales desires to weigh such waggon or other vehicle; and the driver or person in charge of such waggon or other vehicle shall keep in his possession and shall produce to the inspector who weighs such coal, and also to the purchaser of such coal or his agent, if so desired, the ticket signed by one of the inspectors of the city scales, shewing the weight of such waggon or other vehicle when last weighed.

(2) Every inspector in charge of any of the city scales shall weigh any such waggon or other vehicle when brought to the scales for that purpose, and also whenever the inspector deems it proper that it should be weighed, and shall give to the driver or person in charge thereof a ticket shewing the date of such weighing and the weight of such waggon or other vehicle, and shall sign his name to such ticket, and shall also enter in a book to be kept by him for that purpose the description of such waggon or other vehicle, with its number, the name of the owner and the name of the driver or person in charge thereof, the date of weighing and the weight of such waggon or other vehicle, which entry shall correspond with the like particulars to be entered upon the ticket given by the inspector as hereinbefore provided.

**BY-LAW 14.**

Inspector to weigh waggon when requested or when he deems it necessary.

Record of waggon and driver, etc.

(3) Every inspector weighing a load of coal shall mark upon the coal ticket to be given under Section 2 of said by-law the gross weight of the load of coal, including the weight of the waggon or other vehicle upon which it is loaded, and also the weight of such waggon or other vehicle and the net weight of the coal loaded thereon.

Inspector to mark Coal Ticket, Gross Tare and Net.

(4) Every person to whom any such coal may be delivered may require that the waggon or other vehicle upon which the same was loaded, shall be weighed immediately after the delivery of the coal, and thereupon the driver or person in charge of such waggon or other vehicle shall at once cause the same to be weighed at one of the city scales, and shall then produce to the inspector the last preceding ticket given of the weighing of such waggon or other vehicle, and the inspector shall then give him a new ticket of the weighing thereof, and if the weight shall be more than is shewn by such last preceding ticket, the driver or person in charge of such waggon or other vehicle shall forthwith produce to the purchaser of the coal the new ticket shewing the weight of his waggon or other vehicle, and the purchaser may then reduce accordingly the net weight of the coal delivered to him, and shall be chargeable only with the net weight as so reduced.

Waggons, weight of.

(5) Every inspector, upon giving a new ticket of the weight of any waggon or other vehicle, shall write the word "cancelled" on the face of the last preceding ticket of the weight of such waggon or other vehicle and upon any other ticket of such weight which may not before have been so marked by an inspector, and it shall be the duty of the driver or person in charge of such waggon or other vehicle and also of the owner thereof to produce or cause to be produced to the inspector on each new weighing of such waggon or other vehicle, all former tickets of the weight thereof not before marked "cancelled" by an inspector.

Inspector giving new ticket of weight of waggon, to cancel old ticket.

**BY-LAW 14.**

Waggon to have  
numbers painted  
on sides.

(6) The owner of every waggon or other vehicle used for delivering coal to purchasers shall have painted upon it conspicuously a number on both sides, which shall not be the same as the number of any other waggon or vehicle used by the same owner for the delivery of coal to purchasers.

Waggon to have  
good tight boxes  
without divisions.

Temporary  
divisions.

(7) Every waggon or vehicle used for the purpose of delivering coal shall have a good tight box, without any division, and any inspector may refuse to give a ticket of the weighing of any such waggon or vehicle which shall not have a good tight box, without division, or to weigh the same whether loaded or unloaded ; but a temporary division shall be allowed in the coal box where the whole load is to be delivered to the same person

Ticket of weight  
to be produced.

7. Every person delivering coal in this city from a waggon or other vehicle, or causing the same to be so delivered, shall produce and exhibit, or cause to be produced and exhibited to the purchaser, the ticket or certificate of weight received from the Inspector, and shall surrender the same to the purchaser, or cause the same to be surrendered.

Inspectors ticket  
not to be altered.

8. No person shall obliterate, deface or alter the Inspector's Ticket, denoting the weight of any load or part of a load of coal before delivery to the buyer.

No less quantity  
than stated on  
ticket to be  
delivered.

9. No person shall deliver, or offer to deliver, a less quantity of coal than represented by the Inspector's Ticket exhibited to the buyer, as provided for by Section number seven.

Not to apply to 20  
tons or over.

10. This By-law shall not apply to coal delivered in quantities of twenty tons or more.

Not to apply to  
coal taken away  
by purchaser.

11. This By-law shall not apply to coal taken away by the purchaser thereof from the place where the same is sold.

Not to apply to 500  
lbs. or less.

12. No person selling coal in quantities of five hundred pounds, or less, shall be obliged to have such quantities of coal weighed at the City Scales as by this By-law provided.

Inspectors.

13. James G. Davis, Paul Stuart, Thomas Brady, James Hammond, J. W. Farrell, R. J. Smith and Richard B. Beasley, are hereby continued as Inspectors and Weighers of Coal, at their present salaries respectively, during the pleasure of the Council.



COAL TICKET.

BY-LAW 15.

No..... Hamilton,.....18....

Seller.....

Purchaser.....

Teamster.....

Gross.....lbs.

Tare.....lbs.

Net.....lbs.

Form of Coal  
Ticket.

.....Inspector.

BY-LAW No. 15.

*Relating to Inspectors and Weighers of Coal.*

THE Council of the Corporation of the City of Hamilton  
enacts as follows :

1. Any Inspector or Weigher of Coal who has heretofore been or may hereafter be appointed for any of the City Weigh Scales may from time to time be removed to any other of the City Weigh Scales, at the same salary, by resolution of the City Council or of the Market Committee, and his place may by like resolution be supplied by any other duly appointed Inspector and Weigher of Coal, but any such resolution of the Market Committee shall be subject to be annulled by the City Council.

Inspector may be  
removed to any  
weigh scales,

BY-LAW 16.

BY-LAW No. 16.

*To regulate the Sale of Stove Wood.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Stove Wood, definition of.

Parties may Contract for.

Classification of Wood.  
No. 1 Wood.

No. 2. Wood.

No. 3. Wood.

Dealer to measure wood if required.

Mode of Measurement.

Capacity of Box to be 84 cubic feet.

1. The words "stove wood" when used in this By-law are intended to apply to wood which has been sawed or sawed and split, or otherwise cut up into shorter lengths than cord wood for use or consumption as fuel, and the words "sold and delivered," or "a sale" or "delivery" when applied to such stove wood are hereby declared to mean sold or delivered, or a sale or delivery in the City of Hamilton, and in the ordinary course of the trade or business of selling such stove wood for use or consumption as fuel, and nothing in this By-law contained shall be construed to prevent any dealer, or other person, from buying, accepting, or selling and delivering stove wood in such other mode as both parties to the contract may in any particular case expressly agree on.

2. All stove wood sold in the City of Hamilton shall be graded or classified as follows :

No. 1. Hickory, hard maple, red beech, red and black birch, and ironwood, having no dozed or unsound wood or limbs.

No. 2. Sound oak, soft maple, elm and ash, and such hickory, hard maple, beech, birch and ironwood as is not entitled to be classed as No. 1.

No. 3. Sound basswood, pine, cedar, hemlock, tamarac, spruce, balsam, and all other kinds of wood not heretofore mentioned.

3. Every dealer or other person selling stove wood shall, if required by the purchaser so to do, measure the same, and the mode of measurement shall be as follows: The vendor shall throw into and fill with stove wood a box of the capacity of 84 cubic feet, and the contents of such box shall be delivered and received as half a cord, and every person selling a greater or less quantity than half a cord of stove wood shall deliver such wood according to the same rate of measurement; and the said box shall be made so that the same can be subdivided for the measurement of a quarter of a cord.

4. Such box shall have marked thereon in a conspicuous place on each side thereof the name of the owner and the number of the box, followed by the words "half-cord" or "quarter-cord" as the case may be in plain and legible letters.

**BY-LAW 16.**

Name of owner and capacity to be marked on box.

5. Nothing herein contained shall prevent the vendor of stove wood from making such box or measure a part of their waggon or sleigh, and from delivering the wood therein: and the teamster or servant of the vendor or person delivering such wood to the purchaser thereof, shall invite the purchaser, or his or their servant, or some member of his or their family (if any such there be in and about the purchaser's premises capable of so doing), to examine such wood before it is unloaded from such box or measure.

Box may be part of waggon.

Purchaser to be invited to examine load before delivery.

6. No such box shall be used for the measurement of stove wood, until the same has been inspected and measured by the Wood Inspector of the City, and has been approved and marked by him.

Box to be inspected before use.

7. It shall be the duty of the Wood Inspector to inspect and measure all such boxes when requested by the owner so to do; and also to inspect and measure from time to time, and at least once in each year, all boxes used by wood dealers and others for the delivery of stove wood in the City, and when found to be correct in measurement and properly lettered, to mark the same with the word "approved," followed by his signature as Wood Inspector, such mark and signature to be placed on each outer side of the box, immediately underneath the words denoting the capacity of such box.

Wood Inspector to inspect and measure boxes.

Box to be marked "approved."

8. Every wood dealer or other person using a box for the delivery of stove wood in the City, shall submit the same for inspection and measurement by the Wood Inspector, at any time upon his request, or upon the request of the Mayor, or Police Magistrate, or Chairman of the Market Committee.

Box, submission of, for inspection.

9. No person using or having any such box, as aforesaid, shall, after the same has been inspected and marked "approved" by the Wood Inspector of the City, use such box for the delivery of stove wood in the City, or permit the same to be used for that purpose after any alteration whereby the capacity thereof is diminished shall have been made therein, or shall have occurred through use or accident, or other cause, unless and until such box shall have been again inspected and measured by the Wood Inspector, and shall have been again marked "approved" by him.

Box not to be used after alteration until again inspected.

**BY-LAW 16.**

Division of Boxes.

**10.** No such box shall contain any division unless the same shall be a division into two equal parts, and such division shall in no case be made otherwise than by a partition, one inch in thickness, across the box, extending from the top to the bottom thereof, and such partition shall be used only when delivering quarter cords.

Mayor, Police  
Magistrate, or  
Chairman of  
Market Commit-  
tee, may order  
inspection of box.

Chief of Police to  
prosecute.

**11.** It shall be lawful for the Mayor, or Police Magistrate, or Chairman of the Market Committee, by order in writing at any time, and whether complaint be made or not, to direct the Wood Inspector to examine and measure the box used upon any waggon, sleigh or vehicle for the delivery of stove wood, and the Inspector shall thereupon forthwith examine and measure such box, and report in writing the result of such examination and measurement to the person requiring the same, and if any such box shall be found to be of short measurement, or shall not be in all other respects as required by this By-law, it shall be the duty of the Chief of Police on receiving notice thereof, to cause the party making use of such box, to be prosecuted for breach of the provisions herein contained.

Wood Inspector to  
keep record and  
report.

**12.** The Wood Inspector shall keep a correct record in a book provided for that purpose, and shall also make a report in writing to the Chairman of the Market Committee on the last day of each month, of every inspection and measurement made by him under this By-law, and shall in such record and in his report, state the day of such inspection, the name of the owner of the box, the number of such box, and the number of cubic feet contained therein, and the reason of such inspection, and any other material facts relating thereto.

Inspectors.

**13.** Paul Stuart and John Brick are hereby continued as Inspectors of Stove Wood for the City of Hamilton during the pleasure of the Council.

Dealer to furnish  
ticket to pur-  
chaser,

**14.** Every dealer in stove wood in said City shall give to the person in charge of each load of stove wood sold by him a certificate or ticket, in accordance with the form hereto appended, stating correctly the quantity and quality of the wood composing such load, and bearing the signature of such dealer; and the person in charge of the load shall deliver such certificate or ticket to the purchaser of such load.

Inspectors may  
examine quantity  
and quality of  
wood.

**15.** Either of said Inspectors shall have power to inspect the quantity and quality of any load of stove wood sold in said City, and to examine the ticket accompanying the same; and the owner or person in charge of such load of stove wood shall permit the Inspector to inspect the quantity and quality of the load, and the wood ticket accompanying the same.



The following shall be the form of wood ticket given **BY-LAW 17.**  
under this By-law :

No.....

WOOD TICKET.

Hamilton.....189

Purchaser.....

Teamster.....

Quantity.....

Form of Ticket.

Quality No.....

.....

Vendor.

## BY-LAW No. 17.

*Respecting Bread.*

**T**HE Council of the Corporation of the City of Hamilton  
enacts as follows :

**1.** No person shall make for sale, sell, or keep, expose, or offer for sale, or deliver upon or after sale, or in supply of contract in the City of Hamilton, any bread of other than wholesome flour or meal, or combination of such with other wholesome materials.

Bread to be wholesome.

**2.** All bread sold, or offered, or made for sale in the City of Hamilton, of whatever shape, form or fashion, shall be in loaves of two pounds and four pounds weight respectively.

Bread to be 2 or 4 lb. loaves.

**3.** All bread offered for sale, of any less weight than the weight fixed by this By-law, shall be seized and forfeited for the use of the poor; provided always, that nothing in this By-law contained shall be construed or extended to prevent bakers or other persons from selling biscuits, buns, rolls, crackers or muffins of not more than one and a half pounds in weight, or any other fancy cakes commonly made in the trade; but any of such rolls of more than one and a half pounds in weight shall be subject to the provisions of this By-law.

Light Bread liable to seizure.

Fancy bread.

**BY-LAW 17.**

Dealer to provide scales.

4. Every baker or seller of bread within the limits aforesaid, shall cause to be placed in some conspicuous part of his shop, on or near the counter, a pair of scales with proper weights, or other sufficient balance, in order that all bread, there sold, may from time to time be weighed, and the vendor shall in all cases weigh upon such scales all bread there sold or delivered by him, in the presence of the purchaser or receiver thereof, if requested by him or her to do so.

Bread liable to inspection and seizure.

Penalty.

Except where deficiency in weight, accidental &c.

5. It shall be lawful for the Chief of Police, or for any other person, under the direction in writing of the Mayor or Police Magistrate, at all seasonable hours to enter into and inspect and examine every baker's shop or other building, or any vehicle, where any bread is or shall be baked, stored or deposited, or offered for sale, and to inspect and examine all bread found therein, and weigh the same, and if he shall find any bread not in conformity with the directions in this By-law contained, he shall seize the same and forthwith make complaint, for the purpose of having the owner or vendor thereof, prosecuted according to law, and any person so offending in the premises, and being convicted thereof, shall be subject to the penalty imposed by by-law No. 68, *and all such loaves as shall be so found deficient* shall be seized and forfeited to the use of the poor of this city, in such manner as may be directed by the convicting Magistrate or by the Mayor of the City, unless it shall be proved by or on behalf of such offender, that such deficiency wholly arose from some unavoidable accident in baking or otherwise, or was occasioned by or through some wilful or fraudulent contrivance or confederacy of his employees.

Chairman of Market Committee to provide Scales.

6. It shall be the duty of the Chairman of the Market Committee to cause to be provided, at the expense of this Corporation, proper scales and weights for the weighing of bread under the provisions of the last preceding clause of this By-law, and to cause the same to be kept in order, properly adjusted and ready for use at any time; and it shall be the duty of the Chief of Police to cause an inspection, weighing and examination to be made under this By-law *four times* at least in each year, of all bread made for sale, or kept, offered, or exposed for sale in this city; and it shall and may be lawful for the Chief of Police, or for any other person, under the direction in writing of the Mayor or Police Magistrate, or for the person or persons appointed from time to time to inspect and weigh bread, to use if they think fit to do so the scales in the bakeries or shops where bread is kept or offered for sale, for the weighing of any bread found in any such bakery or shop.

Dealers to permit or assist at inspection.

7. Every person making or selling any bread, or having or offering any bread for sale, or for delivery upon or after sale, or in supply of contract, or being in possession or in

charge of any bread for sale or delivery within this city, shall, upon the request of the person authorized, as aforesaid, and upon production of the written authority of the Mayor, Police Magistrate or Chief of Police, submit to and permit the inspection, weighing and examination of such bread under this By-law, and shall aid and assist therein, if required, and no such person shall in any way thwart, refuse, evade, impede, hinder or prevent, or attempt to hinder or prevent any such inspection, weighing and examination of bread, nor shall any other person thwart, impede, hinder or prevent, or attempt to hinder or prevent the same.

BY-LAW 18.

8. In the weighing of any bread under this By-law, an allowance shall be made of one ounce on each two pound loaf, and of two ounces on each four pound loaf, when the same has been baked more than twelve hours before such weighing, but otherwise no allowance shall be made.

Allowance when  
baked twelve  
hours previously.

## BY-LAW No. 18.

*For the Inspection, Weighing and Measuring of certain articles of Food.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. John Peacock is hereby continued, during the pleasure of the Council, Inspector of meat, poultry, fish, fruit, vegetables, butter, milk and other natural products offered for sale for human food or drink in the City of Hamilton.

Food, Drink, &amp;c.

Inspector.

2. It shall and may be lawful for the said inspector or any sanitary Inspector appointed by the City Council to examine and inspect all such articles offered for sale for human food or drink, wherever the same may be so offered in the City of Hamilton, whether in the streets or public places, or squares, or in shops, or stables or vehicles and, to enter all carriages, carts, waggons and other vehicles used for conveyance of such articles or from which the same are delivered to purchasers, and any shops, stalls or premises in which any such articles are exposed or kept for sale, and there examine and inspect with the proper instruments and appliances for the purpose, any of such articles, and to seize and destroy any tainted or unwholesome meat, poultry, fish, fruit, vegetables, butter, milk, or other articles of human food or drink which he may find ; and to take samples of any milk or other drink, which may, in his opinion, be adulterated.

Inspector may  
inspect all articles  
offered for sale  
for food or drink.

To seize tainted or  
unwholesome  
meat, &c.

<p><b>BY-LAW 18.</b></p> <p>Dealers to furnish Inspectors with samples.</p>	<p>3. It shall be the duty of every person keeping or offering any such articles of food or drink for sale, whether in the streets, public places or squares, or in shops or stalls or vehicles, to furnish to any one of the said inspectors when so requested by him, and permit him to take samples of any such articles for examination or analysis; and any person hindering any Inspector in the discharge of his duty, or refusing to permit him to examine and inspect, or to take samples of any such articles, shall be liable to the penalty imposed by By law No. 68.</p>
<p>Milk, analysis of.</p>	<p>4. It shall be the duty of the said Inspectors, wherever they have reason to believe any milk examined by them to be adulterated with water or any other substance, to procure a sample thereof to be analyzed by the proper analyst, under the provisions of the Adulteration Act of the Parliament of Canada which may be in force, and to prosecute or cause to be prosecuted, under such provisions, all persons who may be found selling, offering, or keeping for sale any adulterated milk or other adulterated articles of human food or drink.</p>
<p>Potatoes weight to be 90 lbs per bag.</p>	<p>5. No potatoes shall be sold, or offered or exposed for sale in bags in the City of Hamilton, unless each of such bags shall contain not less than ninety pounds of potatoes, exclusive of the weight of the bag.</p>
<p>Fruit Packages or Baskets, size of</p>	<p>6. No fruit shall be sold in the City of Hamilton in packages or baskets, unless each of such packages or baskets shall contain not less than either one-tenth of a peck, one quart, two quarts, four quarts, one peck, one peck and a half, one half bushel, one bushel, or one bushel and a-half of fruit.</p>
<p>Butter Pats or Packages, weight of</p>	<p>7. No butter shall be sold, or offered or exposed for sale in the City of Hamilton in pats or packages, unless each of such pats or packages shall contain not less than eight ounces of butter, exclusive of the weight of any wrapper or package containing the same.</p>
<p>Seizure of Articles by Inspector.</p>	<p>8. If upon examination and inspection under this By-law, the Inspector shall find any of the articles hereinbefore mentioned to be not in conformity with the directions in the foregoing clauses of this By-law contained, he shall seize the same and forthwith make complaint for the purpose of having the owner or vendor thereof prosecuted according to law, and any person so offending in the premises and being convicted thereof shall be subject to the penalty imposed by By-law No. 68, and all such articles as shall be so found deficient shall be seized and forfeited to the use of the poor of this city, in such manner as may be directed by the convicting Magistrate, or by the Mayor of the City.</p>
<p>Penalty.</p>	



9. It shall be the duty of every person keeping or offering any such articles for sale, whether in the streets or public places, or squares, or in shops or stalls or vehicles, to have all such articles weighed or measured, unless both vendor and purchaser dispense with the weighing thereof; and the scales provided under Section six of By-law No. 17 of this city, shall at all times, during business hours, be at the service of any person for the purpose of weighing any of such articles; and any person refusing to have any of such articles weighed or measured, or hindering said Inspector in the discharge of his duty, or refusing to permit him to examine and inspect and weigh or measure any of such articles shall be deemed guilty of an offence against this By-law.

**BY-LAW 19.**

Articles to be weighed or measured.

Scales to be provided.

Refusal to have Articles weighed or measured.

**BY-LAW No. 19.**

*For licensing, regulating and governing Hawkers and Pedlars.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. It shall be necessary for every hawker, pedlar, or petty chapman, or other person carrying on a petty trade, or who goes from place to place or to other men's houses on foot or with any animal bearing or drawing any goods, wares or merchandise for sale, or in or with any boat, vessel or other craft, or otherwise carrying goods, wares or merchandise for sale, to obtain a license for the transaction or carrying on of such trade, business or calling within the limits of the said City, which license shall be issued under the corporate seal of the said City, and signed by the Mayor and the City Clerk; and the following sums shall be paid for all licenses issued under this By-law :

Hawkers and Pedlars to obtain license.

(1) For every person travelling on foot and carrying a basket, one dollar.

(2) For every person using a push cart ten dollars.

License fees.

(3) For every person using a one horse waggon ten dollars.

(4) For every person using a two horse waggon, fifteen dollars.

**BY-LAW 19.**

Mayor's certificate required.

2. No license shall be granted to any foot pedlar under this By-law except on production of a certificate from the Mayor of the City of Hamilton as to his character and reputation, after the same has been reported upon by the License Inspector.

No License for selling goods the produce or manufacture of this Province, if sold by producer or his employee.

3. No license shall be required for hawking, peddling or selling from any vehicle or other conveyance, any goods, wares or merchandise, to any retail dealer, or for hawking or pedaling any goods, wares or merchandise, the growth, produce or manufacture of this Province, not being liquors within the meaning of the law relating to taverns or tavern licenses, if the same are being hawked or peddled by the manufacturer or producer of such goods, wares or merchandise, or by his *bona fide* servants or employees, having written authority in that behalf; and such servant or employee shall produce and exhibit his written authority when required to do so by any municipal or peace officer.

Streets not to be obstructed.

Booths or Stands not to be erected on Streets or Public Grounds.

4. No pedlar or hawker of any kind of goods, wares or merchandise, shall permit any cart, waggon, or other vehicle in use by him for carrying such articles to stop, rest, remain upon, or in any way encumber any street, avenue or highway, for a longer period than ten minutes at one time, and then only while engaged in selling or offering to sell goods, wares or merchandise vended or sold by him; nor shall any such pedlar, hawker or petty chapman erect any booth or establish or fix any stand on any highway or public grounds in the said City, for the purpose of exposing for sale, or vending or selling, or offering to vend or sell, any goods, wares or merchandise whatever.

Licenses to be for one year from date of issue.

5. All licenses granted under this By-law shall be for one year from the date of issue.

Person licensed to produce license.

6. Every person selling under a license issued under this By-law, shall produce the same whenever it may be demanded by any policeman or other person duly authorized. The City Clerk shall keep a record of every such license issued in a book to be provided for that purpose.

Badge to be worn.

Return of Badge to City Clerk.

7. A badge shall be provided at the City's expense for each person licensed under this By-law and shall be delivered to him when the license is issued, and such badge shall be worn conspicuously by the person so licensed while engaged in hawking or peddling and shall not be lent, transferred or disposed of, but shall be returned to the City Clerk when the license expires or is otherwise terminated.

Refusal to wear Badge.

Penalty for Unlicensed person using Badge.

8. Any person licensed under this By-law who shall neglect or refuse to wear the badge so provided when engaged in hawking or peddling or shall permit such badge to be used by any unlicensed person engaged in hawking or peddling, and any unlicensed person using such badge shall be deemed guilty of an offence against this By-law.

## BY-LAW No. 20.

## BY-LAW 20.

*Respecting Transient Traders.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No transient trader or other person who occupies premises in the City for a temporary period and whose name has not been duly entered on the Assessment Roll of the City in respect of income or personal property for the then current year, and who may offer goods or merchandise of any description for sale by auction, or in any other manner, conducted by himself or by a licensed Auctioneer, or otherwise, shall carry on his trade or business or offer goods or merchandise for sale in the City in manner aforesaid, without having obtained a license so to do ; provided always, that this By-law shall not affect, apply to or restrict the sale of the stock of an insolvent estate which is being sold or disposed of within the City if the insolvent carried on business therewith in the City of Hamilton or the County of Wentworth, at the time of the issue of an attachment or of the execution of an assignment.

Transient Traders must obtain license.

Not to apply to sale of Local Bankrupt Stocks.

2. No transient trader who occupies premises in the City, and is not entered upon the Assessment Roll, or who may be entered for the first time upon the assessment roll of the City, in respect of income or personal property and who may offer goods or merchandise of any description for sale by auction, or in any other manner, conducted by himself or by a licensed auctioneer, or by his agent or otherwise shall carry on his trade or business or offer goods or merchandise for sale in the City of Hamilton in manner aforesaid without having paid the license fee hereinafter mentioned before commencing to trade ; provided always that this By-law shall not affect, apply to or restrict the sale of the stock of an insolvent estate, which is being sold or disposed of within the City, if the insolvent carried on his business therewith in the City of Hamilton at the time of the issue of an attachment or the execution of an assignment.

Trader occupying premises, but not assessed must pay License fee before commencing to trade.

Not to apply to sale of City Bankrupt Stocks.

3. The sum to be paid for a license required under this By-law shall be one hundred dollars for each license, and the sum so paid for a license shall be credited to the trader paying the same upon and on account of taxes for the unexpired portion of the then current year as well as any subsequent taxes, should such trader remain in the Municipality a sufficient time for taxes to become due and

License fee \$100.

**BY-LAW 21.** payable by him and in any other event to be taken and used by the City of Hamilton as a portion of the license fund of such City.

Clerk to issue  
License.

4. The license required under this By-law shall be issued by the City Clerk upon payment to the City Treasurer of the sum of one hundred dollars by the person applying for such license.

## BY-LAW No. 21.

*To regulate applications to the Council under the "The Ontario Shops' Regulation Act R. S. O. 1897."*

**THE** Council of the Corporation of the City of Hamilton enacts as follows :

Form of Petition  
to Council.

1. Petitions to the Council for the passing of By-laws under "The Ontario Shops" Regulation Act R. S. O. 1897, shall be, as nearly as may be, in form following:— that is to say,

*To the Municipal Council of the City of Hamilton,*

The Petition of the undersigned tradesmen of the City of Hamilton carrying on business as

HUMBLY SHEWETH :

More than three-  
fourths of Occu-  
piers to sign.

(1) The undersigned are more than three-fourths in number of the occupiers of shops within the Municipality of the City of Hamilton, belonging to the class known as,

Hours of Closing.

(2) The undersigned ask that a By-law may be passed providing for the closing of their shops and all shops belonging to the same class not later than o'clock in the afternoon of every business day, excepting Saturdays and days immediately before public and Municipal holidays, &c.

(as may be desired)

(3) This application is made under and in pursuance of "The Ontario Shops' Regulation Act R. S. O. 1897."

Witness to signatures,

Signatures



2. Signatures to any petition under the said Act shall be duly proved by statutory declarations annexed to or endorsed on such petition; and accompanying every petition there must also be a statutory declaration setting forth the names and street addresses of all occupiers of the same class of shops within the City as those mentioned in such petition who have not signed the said petition.

**BY-LAW 22.**

Signatures to be proved by Statutory declaration.

3. In case of any dispute or question as to whether the number of those who have signed any petition compose three-fourths of the occupiers of the class of shops mentioned in such petition, or in case for any other reason the Council shall deem it advisable so to do, the Council may refer the petition to the City Clerk for the purpose of making all necessary enquiries, and reporting to the Council as to the proportion of persons signing such petition and as to any other question or matter arising in connection with such petition or the by-law thereby applied for.

Any dispute as to regularity of Petition to be referred to City Clerk.

**BY-LAW No. 22.**

*For closing shops known as Retail Boot and Shoe Shops.*

WHEREAS in pursuance of the provisions of the Ontario Shops' Regulation Act, R. S. O. 1897, an application has been made to the Council of the City of Hamilton, signed by not less than three-fourths in number of the occupiers of shops within the said City, belonging to the class of tradesmen carrying on business as retail dealers in boots and shoes, praying for the passing of a By-law requiring the closing of all shops belonging to the said class at the hours hereinafter mentioned;

Early closing of Boot and Shoe Shops.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows:

1. All shops within the City of Hamilton belonging to the class known as retail boot and shoe shops shall be closed at or before seven o'clock in the afternoon of every business day, excepting Saturdays and days immediately before public or municipal holidays.

Hour of Closing.

2. This By-law is declared to have been in force from and after the 18th day of May, 1897.

Date when By-law came into force.

## BY-LAW 23.

## BY-LAW No. 23.

*To regulate the storage and keeping of Coal Oil, etc.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

Coal Oil Storage.

Quantity limited to 5 Barrels, except in special building.

Building for Storage of Coal Oil.

Height of Basement above Street

Openings.

1. No person shall, at any one time, in any house, shop, building or other place within the limits of the City of Hamilton, keep, except as in manner hereinafter provided, any larger quantity than five barrels of refined coal oil of Government standard or of any other oil of a similar nature, and where any larger quantity than five barrels is kept or stored in any place or building within the limits of said City, such oil shall only be kept or stored in the basement storey of a stone or brick building, the external foundations of which shall be at least four feet in depth and eighteen inches in thickness, built of stone and the upper walls shall not be less than eight inches in thickness. The said basement storey shall be at least fifteen inches below the ordinary level of the street or lowest point of overflow. The said building shall have no openings other than four doors, two in the front and two in the rear thereof; and in the construction and maintenance of such building all proper precautions shall be taken for the purpose of ventilation and of preventing overflow of any of the oil beyond the premises in which the same is kept or stored; and such oil shall be stored on the earthen floor, each barrel lying thereon, and no greater quantity than eighty-five barrels shall be kept or stored in such building.

Not more than 85 barrels to be stored except in isolated building outside fire limits, 100 feet from any other building.

2. Any person may store refined coal oil in an isolated building outside the fire limits of said City, and shall not be compelled to provide a stone or brick building as provided in the preceding section; provided, however, that such place of storage shall be at least one hundred feet distant from any other building.

Oil not to flow into drain or sewer.

3. No person shall permit any coal oil or other oil to flow into any drain or sewer of the said City.

Lights or fire.

4. No person shall take any light or use any fire within the building mentioned in Section 1 of this By-law, either for heat, light or any other purpose whatsoever, when there shall be more than five barrels of coal oil stored therein.

Chief Engineer of Fire Department to inspect, &c.

5. It shall be the duty of the Chief Engineer of the Fire Department to make frequent inspections of all premises in the city where coal oil is stored, or is suspected to be stored, and to enforce the provisions of this By-law.

## BY-LAW No. 24.

## BY-LAW 25.

*Respecting Pawnbrokers.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. It shall and may be lawful for the Treasurer of the City of Hamilton, and he is hereby authorized and required to issue a Pawnbroker's License to any person on payment of the sum of \$60 (sixty dollars), and to renew the same annually on payment of a like sum.

Pawnbrokers

License Fee.

## BY-LAW No. 25.

*For preventing the erection of slaughter houses in the City of Hamilton, and for regulating those already erected.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No person shall build, or cause to be built, within the City of Hamilton any slaughter house, or building for the rendering of lard, tallow or grease, or use or maintain for any such purpose any building not already in use therefor.

Slaughter houses not to be erected in City.

2. Every person who shall maintain or continue any slaughter house, or building for the rendering of lard, tallow or grease, already erected within the City of Hamilton, shall conform to the following regulations for the continuance thereof, and to such other reasonable regulations in regard to the carrying on of such business as this Council may adjudge necessary from time to time to be established.

## REGULATIONS.

(1.) The establishment or place in which such slaughtering or rendering shall be done shall be kept clean and so conducted as not to be offensive to the neighborhood of the same by reason of gaseous or noxious smells emanating therefrom.

Regulations.

Establishment not to be offensive.

(2) No offal or other thing or matter to be rendered shall remain in or about such establishment or place more than twenty-four hours without the same being rendered.

Offal not allowed to remain more than 24 hours.

**BY-LAW 25.**

Tanks.

Offal to be removed within 4 hours.

(3) All such establishments or places shall use for rendering, close tanks with an aperture not exceeding two feet in diameter, which aperture shall have an air tight cover that shall effectually prevent, during the process of rendering, any escape of steam or gas, and such cover shall, if necessary, be "packed" so as to prevent the escape of such steam or gas, such cover shall not be removed for the purpose of adding to the contents therein contained at any time after the rendering of such contents shall have commenced; and said tanks shall be thoroughly washed and cleaned before any new material to be rendered shall be placed therein; and after the rendering of the contents of any tank has been commenced it shall be continued uninterruptedly until fully completed. All offal shall be removed from the tank within four (4) hours after such completion, and shall within one hour after such removal from the tank be carted away from such establishment or place to some place outside the City limits.

Condensers.

(4) All such tanks shall be supplied with a condensing pipe of not less than one and a-half inches in diameter, leading therefrom, and such condensing pipe shall (or by connection with a main condensing pipe) lead into a tank of water of suitable capacity (of not less, however, than six hundred gallons) in which tank there shall be a condensing surface of said pipe, of not less than nineteen square feet. Such condensing pipe shall lead and discharge from such tank of water into a sewer or body of running surface water. The water in such water tanks shall be kept at such temperature as will cause a condensation of the steam and vapor passing through such condensing pipe, and shall be changed as often as may be necessary. No such condensing pipe shall lead into or pass through any tank or box used for the reception of the offal or steaming from the rendering tank, nor shall any such water tank, or water while in such tank, into which such condensing pipe shall pass be used for any other purpose than above specified.

Mode of removing offal.

(5) All offal from any such tank shall be removed from the tank directly into waggons to be carted away from such establishment, or shall be put into a box or tank preparatory to being placed in such waggon or waggons, and such box or tank shall be closely covered while containing any offal, and shall be thoroughly cleansed and disinfected within one hour after the removal of the offal therefrom, and all waggons, used for the removal of offal, shall have close fitting covers to be placed and kept thereon while removing such offal.

Blood from slaughtered animals.

(6) The blood from animals slaughtered shall be carted away in similar waggons to those above mentioned from such establishment or place within eighteen (18) hours after the animal shall have been slaughtered. All blood vats shall be above ground, and no blood, tank water, or the



washings of any of such establishments shall be allowed to run over the ground, but all tank washings shall be carried off by a drain or drains, said drain or drains to have a properly constructed catch basin, for the purpose of catching what organic matter may be contained in the material passing through them, and for each thousand gallons of the tank water that may pass through the drain, a half gallon of the heavy oil that remains after the distillation of coal tar shall be placed in such catch basin for the disinfection of the material passing through, which catch basin shall be cleaned as often as necessary, and also whenever ordered by any policeman, or any person connected with the Board of Health of said City; such drain or drains shall have such connection with a reservoir or body of water as the Medical Health Officer shall direct.

**BY-LAW 25.**

Blood Vats to be  
above ground.

Drains, etc.

Disinfection, etc.

(7) No putrid, decayed, or offensive flesh, intestines, or other animal matter, or any dead animal, shall be rendered in or about any such establishment or place.

Putrid or decayed  
matter not to be  
rendered.

(8) All such establishments and places shall be lime whitewashed inside, at least once in every two months, between the first day of April, and the first day of November in each year.

Whitewashing.

(9) All such establishments and places and every part thereof shall be open to the inspection of any member of the Police Force, or of any officer or person connected with the Board of Health of said City, at any hour of the day or night, and full information as to any of the requirements of these regulations, and as to any matter connected with the mode or manner in which any such establishment or place has been, or then is being conducted, shall be given upon request to any such member of the Police Force, or to any such officer or person.

Inspection.

3. Any such building or establishment, as aforesaid, being a public nuisance shall be abated, and it shall be the duty of the Chief of Police, and he is hereby authorized and required, from time to time to enter upon the premises upon which such nuisance has been proved to exist and to do all such works, matters and things as may be necessary to wholly abate and discontinue such nuisance.

Abatement of  
nuisance.

## BY-LAW 26.

## BY-LAW No. 26.

*To regulate the Central Market and the Sale of Fresh Meat.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Central Market grounds.

1. The ground lying between York, MacNab and Merrick streets, and the rear of the buildings fronting on the west side of James street, between York and Merrick streets, exclusive of the ground occupied by the City Hall and steps connected therewith, shall be called and known as the Central Market.

*Articles to be Sold.*

Articles that may be sold.

Foreign Fruit excluded.

2. The Central Market shall be used for the sale of live stock, meat, fish, poultry, butter, eggs, fruit, vegetables, and other farm, garden or dairy produce, except grain, cordwood, hay and straw, and other fodder, but the sale of oats shall be allowed there when brought to the market in the same waggon or vehicle with other farm, garden or dairy produce. The said market shall not be used for the sale of foreign or imported fruits or nuts, or of any articles except such as are hereinbefore described.

*Market Clerk.*

Clerk of the Market.

Security.

3. The Council may from time to time appoint such person as they may see fit to collect the fees of the Central Market, and the person so appointed shall be called the Clerk of the Market, and it shall be his duty to carry out all the provisions of this By-law and of any other By-law relating directly or indirectly to the Central Market, and to collect the fees payable in respect of the articles sold, or exposed for sale or weighed in the said Market, and to pay over the same weekly to the City Treasurer, and such Clerk of the Market shall from time to time, as required, give security to the Corporation for the due performance of the duties of his office, and for the due payment of all fees collected by him, the security to be given in such mode, and in such amount as the Council shall direct or approve.

Duties of Clerk.

4. The following shall be the duties of the Clerk of the Market :

Superintendence of Market Grounds, Buildings, &c.

(1) He shall, under the control and supervision of the Market Committee appointed by the Council, have the superintendence of the Market Grounds and Market Buildings, and of all buildings, stands and public accommodations in the Central Market, and shall enforce all regulations,

orders and By-laws existing at the time of his appointment, or which may be from time to time enacted or adopted for the government of the Central Market. He shall also carry out all such orders in reference to the grounds and Market as may be from time to time given him by the said Market Committee or the chairman thereof.

**BY-LAW 26.**

(2) He shall open and close the Market every day (Sundays excepted) at such hours as the Market Committee may from time to time direct, and shall, while the Market is open, have charge of the weighing of any articles required to be weighed on the Market Scales.

Opening and closing of Market.

(3) The Caretaker appointed for the Central Market shall perform his duties under and subject to the supervision and direction of the Market Clerk, who shall at once notify the Chairman of the Market Committee of any neglect of duty on the part of the Caretaker.

Caretaker to be under Clerk's supervision.

(4) He shall weigh or cause to be weighed the different articles sold or disposed of in said Market, whenever they are required to be weighed on the Market Scales, and shall, if so requested, give a ticket shewing the day of the month, weight of the article, and the name of the buyer and seller, and signed by the Market Clerk or his assistant.

Weighing of Articles.

(5) He shall also perform such other duties connected with his office as the Council shall from time to time direct.

Further Duties of Clerk.

*Leasing Market Fees.*

5. It shall be lawful for the Council instead of appointing such Market Clerk, as aforesaid, to lease the market fees pertaining to the said Central Market, subject to the provisions of the Municipal Act, and of any other statutory enactments which may from time to time be in force, such lease to be made before the first day of April in each year by public auction, or by tender, or in such other manner as the Council may direct, and to extend for twelve months from the first day of April in such year, the sum bid or tendered for the lease of the market fees to be payable in twenty-four equal payments on the first and fifteenth days of each month, and the payment thereof to be secured by bond with two or more sufficient sureties to the satisfaction of the Council.

Council may lease Market Fees.

6. The Lessee of such market fees, shall, subject to the control and direction of the Market Committee, perform the same duties as are hereinbefore prescribed for the Market Clerk, except the duties prescribed by sub-sections 3 and 5 of Section 4 and so much of clause 1 of said section as applies to the Market Buildings, and that part of Section 3 relating to the weekly payment of fees to the City Treasurer and the security to be given for such payment.

Lessee to perform duties of Clerk.

Exceptions.

## BY-LAW 26.

*Collection of Fees*Market Fees  
Collection.

7. The market fees and the fees for weighing in the Central Market imposed by this By-law, or any other By-law or By-laws from time to time in force, in relation thereto, and all fees legally imposed and the charges for the use of the hucksters' stands may be demanded and received by the Market Clerk or the Lessee of the market fees as the case may be.

*Inspection of Meats, &c.*Inspector of  
Meats, &c.

8. The Market Clerk or the Lessee of the market fees shall in no way interfere with the Inspector of meat, fish, poultry, milk and other produce, but shall as far as possible assist him in the performance of his duties.

*Sales Permitted Elsewhere.*No Market Fees  
to be charged  
unless Market  
used.

9. The vendor of any articles in respect of which a market fee may, under the Municipal Act, be lawfully imposed, may, without paying market fees, offer for sale and sell or otherwise dispose of any such articles at any place within the Municipality of the City of Hamilton, excepting only at and upon the Market place or places thereof.

*Market Fees.*Market Fees  
imposed.

10. All persons who shall or may voluntarily use any of the said Market places for the purpose of selling articles, in respect of which a market fee may be imposed and collected from the vendors thereof, shall pay such market fees as may be from time to time legally imposed.

*Streets Adjacent to Market.*Market Fees col-  
lected on Streets  
within 100 yards of  
Central Market.Not to apply to  
Grain, &c.

11. Market fees shall be imposed upon and collected from any person who shall remain or cause his vehicle to remain upon that part of any street immediately adjoining or surrounding, or being within one hundred yards of the Central Market, for the purpose of selling upon such street or streets articles upon or in respect of which market fees may be imposed, so as to obtain the advantages of the said Market; but driving through or across such portions of streets shall not of itself be deemed sufficient ground for the imposition of any fee. This section shall not apply to grain, seeds, dressed hogs or wool.

Proviso excepting  
sales to Stores.

12. Provided, however, that nothing in the preceding section contained, shall prevent the sale of the articles therein mentioned, to any person carrying on business and having an actual and *bona fide* store, shop or other similar place of business on those portions of the streets in the said last section mentioned; nor shall anything herein contained authorize the imposing or levying of any fee in respect of



any article so sold, or of any vehicle in which the same is contained. **BY-LAW 26.**

*Sale of Fresh Meat.*

**13.** No person shall, without being duly licensed under this By-law, sell fresh meat in the City of Hamilton, in quantities less than by the quarter carcass. License required to sell Fresh Meat

(1) The sum to be paid for such license shall be \$10 per annum, and each license shall remain in force for one year from the date of issue. License fee.

(2) The City Clerk shall issue such license in the form contained in Schedule "A" upon production of a receipt from the City Treasurer for the license fee, and shall enter the date and particulars of each license in a book which shall be kept by him for that purpose. City Clerk to issue License.

(3) No person shall sell the meat of any animal killed when less than four weeks old, or if not of wholesome quality. Immature or unsound Meat not to be sold.

(4) When mutton, lamb, veal or pork is sold by the quarter in the Central Market the portion sold as a fore-quarter shall contain not less than six ribs, and the portion sold as a hindquarter shall contain not more than seven ribs. Fore and Hind-quarters, size of

**14.** No person shall sell fresh meat in the Market, outside of the market stalls, except from an ordinary farmer's or butcher's waggon, and in quantities of not less than a quarter of a carcass upon each sale. No Meat to be sold outside of Market Stalls less than Quarter carcass.

*Market Stalls.*

**15.** The stalls and standings in the Market Hall shall be used only for the sale of meat, poultry, butter, eggs and cheese, and shall be leased under the direction of the Market Committee and at such rents as the Committee shall from time to time determine, such leases to be by the month and the rent to be payable monthly in advance to the City Treasurer; and if any lessee shall vacate his stall or neglect to pay his rent for one week after the same shall become due, though no demand is made therefor his lease of the stall or standing shall thereby be forfeited, and such stall or standing may thereafter be re-let. Stalls and Standings in Market Hall.  
Rental.

**16.** Each stall or standing shall be numbered before it is leased, and shall be known by such number, and before any lease thereof shall be binding on the Corporation, the lessee shall sign such lease, which shall be in the form set forth in schedule B., or to the like effect. Stalls to be Numbered.

**BY-LAW 26.**

No Dogs allowed.

**17.** No butcher or other person shall allow or keep any dog or bitch in or about the Market or places designed for the sale of meat.

*Hotel Runners.*

Runners for Hotels.

**18.** No person shall, upon the Market or within one hundred yards thereof, act as a runner for any hotel or market stable, or solicit custom for any hotel or stable, without wearing a badge exhibiting conspicuously the name of the proprietor of the hotel or stable for which he is running or soliciting custom, nor shall any person solicit such custom by shouting, or in any other way than by presenting himself to the view or answering the call of the owner or driver of any vehicle.

*Sale of Merchandise Prohibited.*

Merchandise.

**19.** No person shall sell or offer for sale in the Market Grounds any merchandise or any goods or chattels of any kind except such as are specified in this By-law.

Auction Sales.

**20.** No person shall sell any goods or chattels by auction (except live stock) in the Market Grounds.

*Butter to be sold by Weight.*

Butter.

**21.** No person shall sell, or expose or offer for sale any butter in the Market or Market Grounds of the City of Hamilton, in any other way than by weight, and the purchaser may demand that the butter be weighed at the time of delivery, and the vendor shall weigh it accordingly.

*Live Animals.*

Live Poultry and live Animals excluded, except during market hours.

**22.** No person shall keep any live poultry or live animals of any kind in the Market Building, except during market hours. No person shall place any calf, sheep, pig or other animal in any place in the Market Grounds other than that provided for such purpose by the Market Committee, or as directed by the Market Clerk or the Lessee of the market fees.

*Nuisances.*

Nuisances.

**23.** No person shall cause or commit any nuisance in the Market, or leave about the Market any hides, offal, or any refuse animal or vegetable matter that might occasion a nuisance, or carry or convey any hides, offal, or offensive matter through the Market Hall.

*Regulations for Locating Persons who use the Market Grounds.*

Regulations for locating users of Market.

**24.** Hucksters, dealers, and all persons frequenting the market and not being lessees of market stalls or sheds, shall have places assigned to them by the Market Clerk or by

the Lessee of the market fees, as the case may be, subject to the control and direction of the Market Committee and to the general regulations contained in this By-law, and all such persons refusing to remain in the places assigned to them, shall be liable to the penalties imposed by By-law No 68.

**BY-LAW 26.**

Hucksters and others to have places assigned.

**25.** Every person having a waggon, van or other vehicle in the Market containing any articles to be sold or retailed therefrom, shall place it in such order and situation as the Clerk of the Market or Lessee of the market fees may direct and subject to the general regulations in this By-law contained, and the animal or animals drawing any such vehicle shall be taken therefrom as soon as the vehicle is in its place, and no waggon, van or vehicle shall be allowed to remain in the Market, except while the same is in actual use for the sale of articles therefrom.

Waggons to be placed as directed by Market Clerk.

Waggons to be removed when not in use.

**26.** All persons selling any articles otherwise than out of waggons or sleighs, shall place such articles as the Clerk of the Market or the Lessee of the market fees shall direct, and subject to the general regulations in this By-law contained.

Articles to be placed as directed by Market Clerk.

*General Regulations.*

**27.** The following regulations of the Central Market shall be observed and carried out by the Market Clerk, and all persons using the Market shall comply with and be governed by such regulations :

General Regulations.

(1) Hucksters, selling otherwise than from waggons or sleighs, shall be assigned to that portion of the Market consisting of the triangle bounded on the south side by the northerly pavement of York street, on the east by the the pavement in rear of the City Hall and on the north side by the pavement running easterly from MacNab street, and at right angles to that street, past the south end of the Market Hall ; and all produce disposed of by hucksters in the Central Market otherwise than from waggons or sleighs, shall be sold from the stands to be placed by the Market Clerk in such triangle, and not elsewhere.

Hucksters, location of

(2) The stands for hucksters shall be located and numbered by the Market Clerk and be under his control and supervision, and shall be assigned by him to the several applicants, according to his discretion, but no such stand shall be assigned to any person for a longer period than one week at a time, nor shall more than one stand be assigned to any applicant.

Stands not to be assigned for longer than One Week.

(3) The charge for the use of each stand shall be made according to its location, the amounts to be so charged being fixed from time to time by the Market Committee.

Rental of Stands.

**BY-LAW 26.**

Meat, Butter,  
Eggs or Cheese,  
not to be sold  
from Stands.

(4) No meat, butter, eggs or cheese shall be sold from any of the said stands, and the persons using them shall keep the pavement free from obstruction by produce or by baskets, boxes or other articles.

Huckster's Stands  
not allowed on  
Street, etc.

(5) No huckster's stand shall be allowed on any part of the Market Grounds, except in the triangle hereinbefore mentioned, and no stands or tables shall be placed in the streets, nor shall any be allowed in the Market grounds except those provided and placed by the Market Committee.

Butchers, Whole-  
sale, location of

(6) Wholesale butchers or dealers selling beef by the quarter, or mutton, lamb or veal by the carcass, and doing business in the Market from waggons or sleighs, shall occupy that part only of the Market which lies west of the Market Hall and north of the Weigh Scales, and also the east side of MacNab street, being the space on both sides of the walk extending northwards from the weigh scales, the occupants commencing always to line up from the north side of the Weigh Scales.

Butchers, selling  
by Quarter,  
location of

(7) Butchers or dealers selling by the quarter from waggons or sleighs any meat other than beef shall occupy that part only of the Market which lies on each side of the middle walk leading from MacNab street to the western entrance of the Market Hall, and in case there is not room for them there, they shall be assigned places further north along MacNab Street.

Hucksters selling  
from waggons,  
location of.

(8) Hucksters selling from waggons or sleighs shall occupy that part only of the Market and of the east side of MacNab street lying between Merrick street and the portion of the Market and of MacNab street assigned to the wholesale butchers, and when this space is all occupied they shall be assigned places on Merrick street, east of MacNab street.

Florists and Mar-  
ket gardeners,  
location of.

(9) Florists and market gardeners, selling otherwise than from waggons or sleighs, shall occupy that part only of the Market lying between the Market Hall and the centre walk running south from Merrick street, and shall use only for the sale of their produce the tables provided for their accommodation by the Market Committee, and such tables shall be placed along the west side of the centre walk, and shall be assigned to the several occupants by or under the direction of the Market Clerk, upon payment by them in advance of the charge fixed by the Market Committee for the use thereof for one week.

Fish Dealers,  
location of.

(10) Fish dealers selling from waggons or other vehicles shall occupy that portion only of the Market along the west side of the walk in front of the fish stalls.



(11) Farmers or producers of farm, garden or dairy produce, selling the same from waggons or sleighs, shall have the right to occupy the space along the south side of the walk on York street from James street to MacNab street, and the space along the east side of the centre walk running south from Merrick street, and such other portions of the Market grounds not specially appropriated as the Market Clerk shall assign to them, and no farmers or producers of farm, garden or dairy produce, selling the same from waggons or sleighs, shall be allowed to occupy any portion of the streets adjacent to the Market and within one hundred yards thereof for the sale of their produce until all the space available for them in the Central Market has been occupied.

**BY-LAW 26.**

Farmers selling from Waggons, location of.

(12) No person shall be allowed to obstruct with produce, baskets, boxes or other articles, any crossing or any part of the walks or foot pavements in the Central Market or the streets adjacent thereto, but this shall not prevent the use by persons selling from waggons or sleighs of a space extending not more than 18 inches from the waggon or sleigh, for depositing or displaying their produce.

Obstruction of Walks, Crossings etc.

(13) The diagram annexed to this by-law may be referred to as shewing the locations hereinbefore described, and a diagram upon a larger scale shall be prepared of the Central Market grounds and shall be kept in the office of the Market Clerk, and upon this diagram the said several locations shall be subdivided into stands or stations, each one of which shall be numbered, and such several stands or stations may be reserved by the Market Clerk until five o'clock in the morning of each market day from 1st May till 1st November, and six o'clock in the morning of each market day during the remainder of the year for such persons of the class for whom the location in which they are laid out is assigned, as may pay therefor in advance the charge fixed by the Market Committee for the use thereof for one week.

Diagram of Market.

Stands may be reserved.

(14) The Market Clerk may reserve until five o'clock in the morning of each market day, from 1st May till 1st November and six o'clock in the morning of each market day during the remainder of the year, stands or stations in the space along the south side of the walk on York street, extending easterly from MacNab street to James street for such farmers and gardeners respectively as may pay therefor in advance the charge fixed by the Market Committee for the use thereof for one week.

Farmers stands may be reserved.

### *Meat Carriers.*

28. No person, other than the owner of the meat, shall act as a meat carrier in the Central Market without a license from the Market Clerk, and every such carrier shall wear a clean cap and a clean smock or blouse reaching below the

Meat Carriers.

**BY-LAW 26.** knees and of such pattern as the Market Clerk shall approve, and no license to act as a meat carrier in the market shall be issued to any person who, in the opinion of the Market Clerk, is not clothed in accordance with the foregoing regulation, or acts in a disorderly manner.

License,

**29.** Such licenses shall be issued for the period of one month only at a time, and a fee of ten cents shall be paid for each license to the Market Clerk, who shall have power to revoke and cancel any license issued by him, if, in his opinion, the holder thereof shall fail to comply with the foregoing regulation or shall act in a disorderly manner, and the fee paid for the license shall in such case be forfeited.

*Clean Boxes for Meat.*

Box of Waggon and cover cloths to be clean.

**30.** When meat is brought to the Central Market for sale the box of the vehicle in which it is brought shall be clean and wholesome, and the cloths with which it is covered shall be clean and of a light color, and no person shall be allowed to expose meat for sale in the Central Market without first complying with this regulation.

*Farmers' Butter Hall.*

Farmers' Butter Hall.

Butter, Eggs or Poultry if not sold from waggons to be sold in Butter Hall.

**31.** No butter, eggs, or poultry shall be offered or exposed for sale on any sidewalk or foot pavement in or adjoining the Central Market, otherwise than from waggons or sleighs under the regulations hereinbefore contained, but all such articles not sold from waggons or sleighs or from the stalls or standings in the Market Hall shall be sold or exposed for sale in the building in the Central Market called the "Farmers' Butter Hall."

Butter Hall reserved for use by Farmers, etc.

**32.** The Farmers' Butter Hall shall be used only by farmers or their wives, daughters, relatives or servants, for the sale of butter, eggs or poultry, the produce of their farms, from baskets or from the tables in the Butter Hall, and shall not be used by hucksters or dealers for purposes of sale.

Poultry to be sold from centre tables

**33.** Persons selling poultry only shall use the tables at the sides of the Butter Hall, and those selling butter or eggs or butter or eggs and poultry, shall use the tables in the central portion of the Hall.

Assignment of place by Market Clerk.

**34.** The Market Clerk or the Lessee of the Market fees, as the case may be, may assign a place for the day to any person entitled to use the Butter Hall, subject to the control and direction of the Market Committee, and to the general regulations contained in this By-law, and any person refusing to remain in the place so assigned shall be deemed guilty of an offence against this By-law.

35. Each person using the Butter Hall under the terms of this By-law for the sale of butter eggs or poultry, shall pay a Market fee of two cents for each day upon every basket, bag or other parcel of such articles brought into the Butter Hall for sale.

**BY-LAW 26.**

Fees for use of Butter Hall.

*Schedule of Fees.*

36. The fees mentioned in Schedule C. are hereby imposed under sections 10 and 11 of this By-law, and shall be paid to the Market Clerk or to the Lessee of the market fees, as the case may be, by all persons liable therefor.

Schedule of Fees.

37. The fees mentioned in Schedule D, shall be paid to the Market Clerk or to the Lessee of the market fees, as the case may be, for weighing in the Central Market any articles he may be requested to weigh.

Schedule of Fees.

SCHEDULE A.

REFERRED TO IN THE FOREGOING BY-LAW.

No.....

LICENSE FOR SALE OF FRESH MEAT.

Butchers' License.

This is to certify that.....  
is hereby licensed to sell fresh meat in quantities less than  
by the quarter carcass in the City of Hamilton for one year  
from this date

Dated at Hamilton, this.....day of.....189

.....City Clerk

SCHEDULE B

REFERRED TO IN THE FOREGOING BY-LAW.

LEASE OF STALL IN CENTRAL MARKET.

Lease of Hall in Central Market.

THIS INDENTURE, made the....day of.....

**BY-LAW 26. BETWEEN**

The Corporation of the City of Hamilton (hereinafter called the Lessors), of the first part,

AND

.....of the said City of Hamilton, (hereinafter called the Lessee), of the second part.

WITNESSETH, that the Lessors, in consideration of the rent hereinafter reserved, have demised and leased, and do hereby demise and lease unto the said Lessee, Stall No. ....in the Central Market of said City, to hold the same as a monthly tenant from the.....day of..... at the rent of.....per month, payable in advance on the.....day of each month.

And it is hereby agreed between the Lessors and Lessee as follows :

Covenant to Pay Rent. (1) The Lessee covenants with the Lessors that he will punctually pay said rent in manner and at the times hereinbefore provided.

Not to assign or sub-let. (2) The Lessee shall not assign or sublet said stall or any part thereof without the consent in writing of the Market Committee, or the Chairman thereof.

Stall to be kept clean. (3) The Lessee will at all times keep his stall in a clean and sweet state, and will not sell therein anything but meat, poultry, butter eggs or cheese.

Seizure and sale of fresh meat for arrears of rent. (4) If the Lessee shall fail to make punctual payment in advance of any one or more monthly instalments of his rent, the Lessors may issue a warrant, under the hand of the City Treasurer directed to any bailiff or constable, to seize and distrain any fresh meat or other perishable articles or other goods in said stall for such rent, and if such rent shall not be paid within six hours after such seizure and notice thereof in writing, put up in three places in the Market, specifying the fresh meat or other perishable articles seized, and the cause of seizure, and the time the same will be offered for sale, the bailiff or constable may sell such fresh meat or other perishable articles, or so much thereof as will satisfy said rent and the costs of the distress and sale, provided always, that the notice required by law must be given before the sale under such distress of any goods or chattels other than fresh meat or other perishable articles, and that nothing herein contained shall abridge or lessen the remedies which the Lessors would have, independently of this agree-



ment, for the recovery of any rent owing to them for said stall.

BY-LAW 26.

(5) If the Lessee shall vacate said stall, or neglect to pay any instalment of said rent for one week after it shall become due, though no demand is made therefor, or if the Lessee shall fail to perform any of the agreements herein contained on his part, this lease shall become forfeited and void and the Lessors may retake possession of said stall, and lease the same to any other person or persons.

Forfeiture of Lease.

(6) No waiver on the part of the Lessor of any forfeiture or breach of covenant on the part of the Lessee, shall be construed to prevent the Lessors from availing themselves, by re-entry or otherwise, of the remedies hereby provided for any continued or subsequent breach of covenant on the part of the Lessee.

Re-entry by Lessors.

(7) The word "Lessee" hereinbefore contained, shall extend to all the Lessees, if there are more than one, and to the executors, administrators and assigns of the Lessee or Lessees.

Interpretation.

In witness whereof, the said parties have hereunto affixed their seals.

Signed, sealed and delivered )  
in presence of )

## SCHEDULE C.

REFERRED TO IN THE FOLLOWING BY-LAW.

Upon articles brought to the market place in a vehicle drawn by two horses, upon which fees may be imposed, ..... 10 cents

Schedule of Market Fees.

Upon articles brought to the market place in a vehicle drawn by one horse or drawn or propelled otherwise than by two horses..... 5 cents.

Upon articles brought to the market place by hand or in any basket or vessel..... 2 cents.

**BY-LAW 26**

Upon or in respect of live stock driven to or upon the market place for sale, as follows :

- Every horse, mare or gelding.....10 cents.
- Every head of horned cattle.....5 cents.
- Every sheep, calf or swine.... .2 cents.

For each huckster's stand, the amount fixed by the Market Committee.

SCHEDULE D,

REFERRED TO IN THE FOREGOING BY-LAW

Schedule of Fees  
for weighing.

- For weighing a load of anything except of grain or lime.....25 cts.
- For weighing a load of grain or lime.....15 cts.
- For weighing each calf, sheep, lamb or pig.....02 cts.
- If small scales are used, each draft of 200 lbs or less..02 cts.
- For each additional 100 lbs. or less.....01 cts.
- For weighing live cattle or horses, each.....05 cts.

M'NAB S

Wholesale Butchers selling Beef by the quarter and other meat by carcass from waggons

Hucksters selling from waggons

Wholesale Butchers selling Beef by the quarter and other meat by carcass from waggons

Butcher selling other than Beef from waggons

Hucksters selling from waggons

Huckster selling from waggons

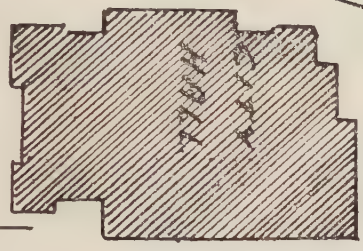
Huckster stand

Huckster stand

Huckster's stand

YORK ST  
Farmers selling from waggons

Farmers



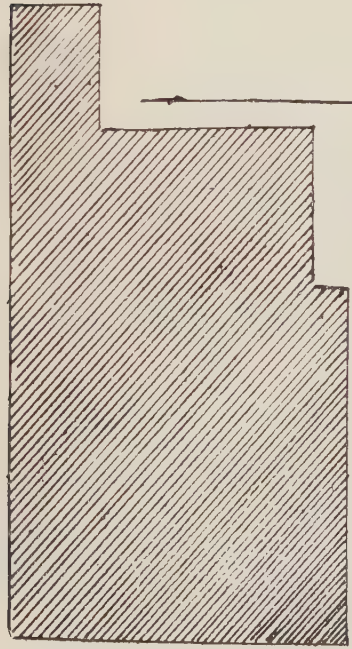
Farmers

Flourist and Market Gardener

Selling

Fish dealers

Flour and Market Gardener  
Tables  
From Waggons



MERRICK ST

JAMES ST

## BY-LAW 27.

## BY-LAW No. 27.

*To Regulate the John Street Market.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

John St. Market grounds. 1. The vacant ground in the block lying between John, Hughson, Hunter and Augusta Streets, and marked on Haskins' map as market place, shall be designated the John Street Market, and shall be used for the sale of cordwood, lime, hay, straw and other fodder in waggons; sleighs and other vehicles.

Inspector. 2. The Council shall from time to time appoint some person who shall be designated as the Wood Inspector and Clerk of the John Street Market, and who shall have charge of the said Market ; Paul Stuart, the present Wood Inspector and Clerk of the John Street Market, shall continue in that office during the pleasure of the Council.

Security. 3. It shall be the duty of the Wood Inspector, to carry out all the provisions of this By-law relating to the John Street Market, and he shall from time to time as required, give security to the Corporation for the performance of the duties of his office and for the due payment of all fees collected by him, the security to be given in such mode and in such amount as the Council shall direct or approve.

Hours of Duty. 4. The Wood Inspector shall attend from 7 a. m. to 6 p. m., at the John Street Market, and shall inspect and measure all cordwood brought to the Market to be measured, and thereupon mark the measurement in a legible manner in some conspicuous place on the said wood, shewing the quality thereof and the number of cubic feet, and shall give each person having wood inspected and measured, a ticket in the form contained in Schedule A. to this By-law, stating correctly the quality and number of cubic feet of the wood so inspected and measured, and bearing his signature, and he shall collect the fees payable under this By-law or by any By-laws that may be in force for measuring each load of wood, which fee shall be paid by the person who brings such load to be inspected and measured.

Cordwood to be measured and marked.

Collection of Fees.

Inspector to inspect and measure without delay. 5. The Wood Inspector shall, without any unreasonable delay, inspect and measure the several loads of wood brought to the Market in the order in which they shall be presented, and shall immediately mark them and give the ticket therefor.



**6.** The Wood Inspector shall not mark as Number One any load of wood containing any dozed or unsound wood or limbs, but the same shall be classed as Second, Third or Fourth quality, as the case may require, and the Inspector may consider fair and reasonable.

**BY-LAW 27.**

Classification of Wood.

**7.** The Inspector shall make a proportionate deduction in the measurement of all wood under four feet in length, and shall examine carefully the manner in which the wood is piled, and make a fair and reasonable deduction for improper and unfair piling, and for crookedness and unevenness of the wood.

Deduction for improper piling.

**8.** The Inspector or his Deputy shall not directly or indirectly trade or traffic in firewood or other products brought to the said Market.

Inspector or Deputy not to traffic in wood &c.

**9.** The Inspector shall keep a record, in a book provided for that purpose, of all wood inspected and measured by him, stating the name of the person for whom inspected the quality, the number of cubic feet, and the date of inspection, and shall, on the first Monday in each month, report to the Market Committee of this Council, the number of loads of wood measured by him during the preceding month, and the amount of fees received therefor.

Record and report

**10.** The Inspector shall, on Monday in each week, account for and pay over to the City Treasurer all money collected by him under this By-law.

Inspector to pay over to City Treasurer weekly.

**11.** The Inspector may, with the assent and approval of the Market Committee, appoint a Deputy, for whose acts he shall be responsible.

Deputy Inspector.

**12.** Prior to entering upon the duties of his office the Inspector shall take the oath of office required by the Municipal Act.

Oath of Office.

**13.** All cordwood brought to this City to be sold from a waggon, cart or sleigh, shall, if the purchaser thereof requires such cordwood to be measured, be conveyed to the Wood Market for inspection and measurement, and all waggons, carts and sleighs containing wood or other articles for sale, shall, while in the market, be so arranged under the direction of the Wood Inspector as not to obstruct the free passage of teams.

Cordwood to be taken to Wood Market for inspection and measurement.

**14.** No person shall deliver to a purchaser in the City of Hamilton any cordwood sold from a waggon, cart or sleigh, the purchaser whereof requires the same to be measured, without first having such cordwood inspected and measured by the Wood inspector, the quality and number of cubic feet marked thereon, and without having first obtained a ticket from the Wood Inspector, as hereinbefore

Cordwood to be inspected and measured if required by purchaser.

**BY-LAW 27.** provided, which ticket shall be surrendered to the purchaser on payment for the wood therein mentioned.

Inspector may require cordwood to be piled into a rack for the purpose of inspection and measurement.

**15.** All cordwood brought to the said market loaded on a waggon, cart or sleigh in more than two tiers, or loaded in such manner that at least one end of every stick thereof cannot be seen shall, if required by the Wood Inspector, be piled by the person bringing the same to the market into a rack to be provided at the said John Street Market, for the purpose of having the same inspected and measured by the Wood Inspector ; provided always that it shall not be imperative on the said Inspector to cause to be unloaded any wood brought to market if he is able, readily and accurately to inspect and measure the same.

Cordwood not loaded properly shall be piled into racks.

**16.** Any person bringing cordwood to the said market loaded in a manner not satisfactory to the said Inspector shall, at the request of the said Inspector, pile the same in the rack or racks as above mentioned for the more accurate inspection and measurement thereof.

Inspector's marks not to be defaced or altered.

**17.** No person shall obliterate or deface the Wood Inspector's marks, denoting the measurement and quality of any load or part of a load of wood, nor alter the ticket issued by him for the same, and no person shall place any mark upon wood offered for sale that may mislead the purchaser thereof.

Classification of wood.

**18.** All cordwood measured by said Inspector, shall be graded and classified as follows :

No. 1.

No. 1.—Hickory, hard maple, red beech, red and black birch and ironwood, having no dozed or unsound limbs.

No. 2.

No. 2.—Sound oak, soft maple, elm and ash, and such hickory, hard maple, beech, birch and ironwood as is not entitled to be classed as Number One.

No. 3.

No. 3.—Sound basswood, pine, cedar, hemlock, tamarac, spruce, balsam, and all other kinds of wood not hereinbefore mentioned.

Inspector to weigh lime, hay, straw and other fodder.

**19.** The said Wood Inspector, when so required by the vendor or purchaser of any lime, hay, straw, or other fodder, shall weigh the same and shall charge therefor the fees payable under this By-law or under any By-laws that may be in force for weighing each load, which fee shall be paid by the person who brings the load to be weighed.

Hay, grass, straw, &c. to be weighed.

**20.** Every load of hay, grass, straw or other fodder brought to the John Street Market, shall be weighed on the scales of that market, before its removal therefrom for delivery to a purchaser.

**21.** The said Inspector shall, upon weighing any cattle, horse or other article, deliver to the person in charge thereof a ticket showing the net weight and the date of weighing, and the fee charged therefor, and shall keep a stub or counterfoil of every such ticket issued by him, and the book containing such stubs or counterfoils shall be produced by him to the City Treasurer with his monthly statement of receipts.

**BY-LAW 27.**

Inspector to give ticket showing weight of cattle.

**22.** When the Wood Inspector shall weigh a load of lime, hay, straw, or other fodder, he shall give to the person who brings such load to be weighed, a ticket in the form in Schedule B. to this By-law, containing the name of the party for whom the load is weighed, the gross weight of the load, including the waggon, sleigh or other vehicle, and the net quantity of the article weighed in the denomination in which it is usually sold, and shall keep and produce a stub or counterfoil of every such ticket as in the preceding section required.

Also ticket of gross and net weight of loads.

**23.** No person shall expose for sale any cordwood, lime, hay or straw, or other fodder, in any other Market place in the City of Hamilton than the John Street Market, or have it measured or weighed for the purpose of sale at any Market place in the City, except at the John Street Market, and the persons bringing the same to that Market shall place their waggons or other vehicles in such position and order as the Wood Inspector shall direct.

Cordwood, lime, hay, straw or other fodder to be sold only at John St. Market.

**24.** The fees payable hereunder shall be the fees set forth in Schedule C. to this By-law.

Fees.

**25.** It shall be lawful for the Council, instead of appointing a Wood Inspector and Clerk of the John Street Market, to lease the market fees pertaining to the said John Street Market, subject to the provisions of the Municipal Act and of any other statutory enactments which may from time to time be in force, such lease to be made before the first day of April by public auction or by tender, or in such other manner as the Council may direct, and to extend for twelve months from the first day of April in such year, the sum bid or tendered for the lease of the market fees to be payable in twenty-four equal payments, on the 1st and 15th days of each month, and the payment thereof to be secured by bond with two or more sufficient sureties to the satisfaction of the Council.

Leasing of Market fees.

**26.** The lessee of such market fees shall, subject to the control and direction of the Market Committee, perform the same duties as are prescribed for the Wood Inspector and the Clerk of the John Street Market, except the duty imposed by section 10 of this By-law requiring him to account for and pay over to the City Treasurer on Monday in each week all money collected by him under this By-law.

Duties of Lessee.

BY-LAW 27.

Coal may be weighed at John St. Market.

27. Notwithstanding anything contained in this By-law, coal may be weighed on the John Street Market Scales, and the lessee of such market fees shall, while his lease continues, be an Inspector and Weigher of coal under this City, and shall be subject to the provisions of this By-law, and for the duties performed thereunder shall be paid by the City by fees or as otherwise decided by the Market Committee.

SCHEDULE A.

REFERRED TO IN THE FOREGOING BY-LAW.

WOOD TICKET.

No..... Hamilton,.....18..  
Owner.....  
Teamster.....  
No. of feet.....

Quality No.....  
.....Inspector.

SCHEDULE B.

REFERRED TO IN THE FOREGOING BY-LAW.

WEIGH TICKET.

No..... Hamilton,.....18..  
Owner.....  
Gross.....  
Tare.....  
Net.....

.....Market Clerk.  
Fee paid.....



## SCHEDULE C.

## BY-LAW 28.

REFERRED TO IN THE FOREGOING BY-LAW.

For measuring every load of wood.....	05 cts.
For weighing every load of hay, grass, straw or other fodder .....	15 cts.
For weighing every load of lime .....	15 cts.
For weighing live cattle or horses, each .....	05 cts.

## BY-LAW No. 28.

*For Assigning Stands for Carts.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Carters' Stands.

1. Stand No. 1 for licensed Carters shall be on the lot on the north side of Vine Street leased by C. M. Counsell to the City for a Carters' Stand.

Stand No. 1.

2. The covered booth for the shelter and protection of the drivers occupying stand No. 1, assigned to licensed Carters on said lot on the north side of Vine Street, shall remain thereon during the pleasure of the Council.

Carter's Shelter.

3. Stand No. 2 for licensed carters shall be on the south side of Main Street, between Hughson and John Streets.

Stand No. 2.

4. In order to cause as little obstruction as possible on the street on which the licensed carters stand, the horses and vehicles must stand lengthways with the street.

Regulations respecting stands.

## BY-LAW 29.

## BY-LAW No. 29.

*For Assigning Stands for Cabs.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Cabstands.

1. The following places are hereby authorized and assigned as stands for cabs licensed to be used for hire in the City :

Stand No. 1.

Stand No. 1.—The central part of King Street, between Catharine and John Streets.

Stand No. 2.

Stand No. 2.—That part of King Street between Hughson and James Streets, adjoining the pavement on the south side of the Gore Park.

Stand No. 3.

Stand No. 3.—The south side of Merrick Street, between James Street and the Market Square.

Stand No. 4.

Stand No. 4.—The north side of Stuart Street, between Hess and Tiffany Streets.

Standing elsewhere with cab prohibited.

2. No person shall occupy with a cab, licensed to be used for hire, a stand in any public street or place in the City other than one of the stands hereinbefore mentioned.

Cabs only allowed on stands,

3. No person shall occupy any of said stands with a vehicle other than a cab licensed to be used for hire in the City.

Regulations respecting stands.

4. In order to cause as little obstruction as possible in the streets in which such stands are hereby assigned, the horses and cabs on Stand No. 1 shall be drawn up in a single line parallel with King Street, and in the centre thereof, and on the other stands shall be drawn up in a single line alongside the pavement or sidewalk, and parallel therewith, and in such a position as not to obstruct any passage-way or crossing for vehicles or foot passengers opening upon or leading across such stand.

## BY-LAW No. 30.

## BY-LAW 30.

*On Streets and Sidewalks.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No person shall dig or tear up any pavement, side or cross walk, or dig any hole, ditch, drain or sewer in any street, alley or public space, except such person or persons as may be employed especially for the purpose by the Board of Works, City Engineer, District Foreman, Manager of the Water Works or Gas Works, or except when it shall be necessary for the purpose of building, and it shall be the duty of any person digging or tearing up any pavement, side or cross walk, or digging any hole, ditch, drain or sewer, in any street, alley or public space, as speedily as practicable, to repair and put the same in as good order and condition as before, and in order to do this, such person shall pound down the earth so as to make it firm and solid, and if the earth shall settle, such person shall fill the same from time to time as may be necessary.

Except as provided, no person to dig or tear up any street, &c.

(1) It shall not be lawful for any person to dig or make a hole in any of the public streets, lanes, alleys or sidewalks of the City of Hamilton, or to construct a drain or sewer into any of the common sewers thereof, without having first obtained permission from the City Engineer.

No person to dig a hole in any street without permission of City Engineer.

(2) Every person who may obtain such permission shall pay the expense of an inspector, who shall be appointed by said Engineer to superintend the work.

Inspector's expenses to be paid.

(3) Should any person desire that any such work be done by the City employees, it shall be lawful for the City Engineer to cause the same to be done upon receiving the cost thereof, or security that the same will be paid when the work shall have been completed.

City may undertake work in streets for private persons.

2. The City Engineer shall be charged with the duty of enforcing the observance of section 1 of this By-law and of conducting all prosecutions for any breach thereof.

City Engineer to enforce section 1.

3. No person shall erect or place or procure or cause to be erected or placed, in any street or alley, lane or highway, or other public square or park, or other public ground of this City, any building or part of a building of any description, or any fence or part of a fence or other structure except such as may be prescribed by By-law and allowed by law.

Buildings, fences &c., not to be placed in streets.

**BY-LAW 30.**

Persons excavating near sidewalks to take precaution to prevent harm.

4. Every person who shall excavate, for the erection of walls or for any other purpose, in or near the sidewalks, or in or near any other place frequented by the public, shall take all necessary precautions to prevent harm, and shall complete said walls with all possible and reasonable despatch.

Obstructions not to be placed in streets &c.

Exceptions,

5. No person shall place or deposit on any sidewalk, or in any street, or alley, or other public place in the said City, any cask, box, crate, stone, plank, boards, goods, wares, merchandise, or other substances or materials whatsoever; but this section shall not be construed to prevent the moving of goods, wares or merchandise across any sidewalk in any way of trade, or for the use of families; nor be construed to prohibit the temporary deposit of firewood, coal or other fuel in front of any house, store or shop, for the use of which said wood or fuel is so deposited; but such wood or fuel shall not remain in such street for a longer period than twenty-four hours; and while so deposited in the street, such wood may be cut, sawn or split for the use of the person owning the same, provided always, that such wood shall not be cut or split upon any sidewalk or crossing: nor to prevent the use of barrels, boxes or other receptacles for ashes and garbage required to be removed by the public scavenger, or the deposit of building materials under and subject to the restrictions and regulations contained in the City By-laws.

Two feet of sidewalk may be occupied for display of goods.

6. No person shall be liable to a penalty under section 5 for setting out temporarily, or from day to day, in the street opposite his shop or place of business, goods exposed for sale, provided he shall not occupy therewith a space extending more than two feet within the boundary line of the street.

Bicycle stands permitted

7. No person shall be liable to a penalty under section 5 for placing a bicycle stand at the outer edge of the sidewalk or boulevard opposite his business premises, provided, that the stand shall not be larger than is necessary for holding four bicycles, standing parallel with the sidewalk, and shall not be more than two feet 6 inches in width and shall be used only for placing temporarily therein for short periods bicycles in actual use by customers or others having business upon such premises and shall not be used as a bicycle stand by the occupant of such premises or the persons employed therein.

Barber's poles

8. No person shall be liable to a penalty under section 5 for placing a barber's pole at the outer edge of the sidewalk or boulevard opposite his business premises, provided, that such pole shall not occupy a space more than twenty inches square.



**BY-LAW 30.**

**9.** No person shall scatter, leave or distribute in any street, lane or alley, or public space within the limits of the City, shavings, sawdust or dirt of any description, carted or hauled about in waggons, and any person using a waggon, cart or other vehicle to haul shavings, sawdust or dirt shall not load the same above the top of the side or end boards of the vehicle, and any such waggon, cart or vehicle used for the purpose aforesaid shall be constructed with tight board boxes, or in such manner as to prevent the distribution or scattering of dirt on the streets.

Shavings, sawdust or dirt must not be scattered on streets.

**10.** No person shall throw or deposit and leave, or permit to be thrown or deposited and left, any sweepings of any store, house, shop or office, or any dirt, paper, hand bills or dodgers, or any animal or vegetable substance, ashes, shavings, filthy water, offal, straw, wood, stones, earth, manure, refuse matter or rubbish of any kind whatever, into or upon any street, lane, alley or public ground, or places used as streets, lanes or public grounds, or into or upon any waggon or vehicle on any street or public square.

Sweepings, dirt, paper, handbills, dodgers &c.

**11.** No distiller, dyer or other person shall, either personally or by another, discharge out of or from any dye-house, workshop, factory, machine shop, dwelling house, kitchen, or other building, any foul or nauseous liquid, or other substance, into or upon any highway, street, lane, alley, public space or square.

Foul or nauseous liquids.

**12.** Every occupant of a house, shop or other building in the City of Hamilton, shall, before nine o'clock in the evening of every day, (Sundays excepted), remove and clear away the snow and loose ice on the sidewalk in front of his premises. No person shall deposit, or cause to be deposited, on any street of the City any snow or ice unless the same shall be evenly spread so as not to impede public travel by horses and vehicles, nor shall any person deposit, or cause to be deposited, any snow or ice in any of the alleys of the City.

Snow and loose ice removal from sidewalks.

**13.** Every owner of vacant property shall, within twenty-four hours after any snow shall have fallen upon the sidewalk in front of such property, remove and clear away the snow and loose ice from such sidewalk.

Snow and loose ice opposite vacant property, removal of.

**14.** If any owner or occupant in either of the two preceding sections mentioned shall neglect to remove and clear away such snow and loose ice for twenty-four hours, the Corporation of said City may cause the same to be removed and may charge the expense of such removal as a special assessment against the premises from the front whereof such snow or ice shall be removed, to be recovered in like manner as other municipal rates.

If owner neglects City may remove snow or loose ice and charge to owner.

**BY-LAW 30.**

Crossings not to be sprinkled.

**15.** It shall be unlawful for any person engaged in sprinkling the streets of this City, whether as contractor or employee, to cause any of the cross walks on said streets to be sprinkled.

Dead animals transport of, through streets.

**16.** No person shall be permitted to remove, carry or transport any dead cow or horse, or other animal along, through or over any public street, lane, alley or public ground, unless the same shall be covered with canvass or other suitable material.

Persons driving over sidewalks to protect with approaches.

**17.** Persons owning or occupying any shop, yard, lot, stable or other place, where it is necessary to pass over the sidewalk with animals or with carriages, waggons or other vehicles, shall protect said sidewalk neatly with stone or wood approaches, and to a width sufficient to prevent damage being done to the sidewalk on each side of such passage.

Driving on sidewalks prohibited.

**18.** No persons shall push, draw, or back any horse, waggon, cart or other such vehicle upon any sidewalk, or use, ride or drive any horse, waggon, bicycle, sled or sleigh thereon, unless it be in crossing the same to go into a yard or lot when no other suitable crossing or means of access is provided.

Crosswalks to be reserved free from obstruction.

**19.** All cross walks in the City shall be kept and reserved free from any sleighs, waggons, carts or carriages, horses or other animals, except so far as may be necessary in crossing the same.

Horses not to be left untied.

**20.** No person shall leave any horse or horses standing on any street, lane, alley or public ground, whether attached to a vehicle or not, unless such horse or horses shall be securely fastened, in order to prevent starting or running away, or the reins be in the person's hands or within his reach.

Horses not to be tied so as to obstruct sidewalks.

**21.** No person shall, at any time, fasten any horse in such a way that such horse, or the reins, or other fastenings shall be an obstacle to the free use of any side or cross walk, nor shall any person fasten any horse to any ornamental or shade tree in any of the streets in this City, or to any box or case around any such tree.

Immoderate driving.

**22.** No person shall ride or drive any horse, or other animal, or any bicycle, auto-motor or other like vehicle on any public street in this City, in such manner as to endanger or unreasonably incommode any person.

Not to drive through processions.

**23.** No person shall drive any horse or carriage or vehicle of any kind, through any civic or military procession.

(1) No person shall cross any funeral procession with a waggon, carriage or other such vehicle, so as to interrupt such procession.

**BY-LAW 30.**

Funeral processions interruption.

**24.** No person shall drive with a cutter or sleigh of any kind, without having attached to the harness or vehicle at least two bells.

Sleigh Bells.

**25.** No sign or other post shall be erected or placed upon any sidewalk or street, or other public way within the City limits, or if heretofore erected or placed, shall be permitted to remain upon any sidewalk, or street or other public way, after notice to the owner or occupant of the premises from the Board of Works to remove the same; but nothing herein contained shall prevent the erection of posts in front of each building for the purpose of hitching horses, or the erection of barber's poles, in accordance with section 10 of this By-law.

Sign posts not to be placed on sidewalks or streets except as hitching or barber's poles

**26.** All awnings hereafter erected shall be elevated at least seven feet at the lowest part thereof above the sidewalk, and shall not project over the sidewalk to exceed three-fourths the width thereof. They shall be supported without posts, by iron brackets, or by an iron framework attached firmly to the building, so as to leave the sidewalk wholly unobstructed thereby. All awnings heretofore erected in a different manner shall, after notice from the Board of Works, be immediately removed.

Awnings, regulations respecting.

**27.** All telegraph poles shall be erected on the outer side of the sidewalk in such a way as not to obstruct any passage or view, and said posts shall be at least twenty feet high, and straight, and be firmly and securely set, so as not to injure or damage the sidewalk or obstruct the use of the same.

Telegraph poles.

**28.** No person shall construct, erect, maintain or continue within the City, any fence made wholly or in part of barbed wire along any street or public place, unless such barbed wire is set or strung at a height of not less than eight feet above the surface of the adjoining ground, roadway, pavement or sidewalk, or of any platform, floor or seat adjacent to such fence.

Barbed wire fences.

**29.** No person shall paint, mark, write, print or impress or in any manner attach any notice or advertisement, or the name of any commodity or thing, or any trade mark, symbol, or figure of any kind upon or to any sidewalk, step or stone, or any wall, fence or other property, not his own, upon or abutting on a street or public place, without first obtaining permission from the owner or owners of the property on which he desires to place such notice, advertisement, name, mark or figure.

Notices or advertisements not to be put on sidewalk or on the property of another without consent.

**BY-LAW 30**

Public Lights not to be lighted or extinguished by unauthorized person.

**30.** No person shall light, or cause to be lighted or extinguished, any public electric light or gas-light, without being duly authorized so to do, by the Council or by the person or Company having the control of such light.

Lamps, injury to.

**31.** No person shall wilfully, maliciously or negligently injure, pull down, break or remove or in any manner deface or injure any public lamp, lamp post, or gas or electric light within the City.

Gates not to swing over sidewalks.

**32.** No person shall hang any gate or allow any gate or door to remain hung so as to swing over any sidewalk, street or road within the City, except doors to public buildings.

Auction sales not to be held on streets.

Proviso.

**33.** No person shall, by himself or agent, sell or expose for sale at auction, any goods, wares or merchandise upon any sidewalk, or in any street, alley, or public space in the City, nor shall any person sell any such goods, wares or merchandise or other things by auction, to any person who, at the time of bidding for the same, shall be on the carriage way or sidewalk of the streets: provided always, that this section shall not apply to horses, carriages or cattle, which may be sold in the carriage way of the streets.

Firearms, etc., discharge of on public streets.

Proviso.

**34.** No person shall fire any cannon, gun, rifle, pistol or fire-arms of any kind, or fire or explode any squib, rocket, cracker, roman candle or other combustible fireworks, or explosive material in any public street, lane, alley or sidewalk, or other public place within the City; but this section shall not apply to any military or volunteer company, or to the killing of any dog whose owner or possessor has not complied with the provisions of any By-law relating to dogs running at large that may now or hereafter be passed.

Trees, manner of placing.

**35.** All ornamental or shade trees hereafter placed or set out on any street, shall be placed or set out within the outer line of the curbstone, but in no case less than eight feet from the line dividing the street from the lots abutting thereon, where there is no curbstone laid.

Trees, injury to.

**36.** No person shall climb into, or in any way interfere with or injure any tree now standing, or which may hereafter be planted in any of the streets, public squares or grounds of this City, and the penalty for any offence against this section shall, when collected, be paid to the party giving information of such offence.

Obstruction of streets by railway companies.

**37.** It shall not be lawful for any locomotive, passenger or baggage car, or other vehicle used by any railway company, or for any property whatever owned or carried by any such company, to be left standing or remaining upon



any railway track or lands where the same may be intersected by any street in this City, nor shall any such locomotive car, vehicle, or property be left or permitted to remain in any street so as in anywise to encumber the same for a longer time than five minutes

BY-LAW 31.

38. Coasting or tobogganing by any person in any of the public streets of the City is hereby prohibited.

Coasting prohibited.

39. All work done, or caused to be done, by any person under this By law shall be done under the supervision and to the satisfaction of the City Engineer.

Work to be done to satisfaction of City Engineer.

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## BY-LAW No. 31,

*Respecting the Construction of new Sidewalks and Wood Curbing.*

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THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No new wooden Sidewalks shall be laid in any of the streets of the City, where the grade has been established, but all new or renewed sidewalks shall be made of cement, or other like permanent material, and shall be constructed as local improvements and paid for by special assessment, the City Corporation contributing out of the general funds such proportion, if any, of the cost as may be determined upon in each case.

Wooden Sidewalks not to be constructed.

2. No wood curbing shall be laid within that portion of the City bounded by Hunter, Bay, Cannon and Wellington streets, but nothing herein contained shall prevent the repairing when necessary of wood curbing within the area above mentioned.

Wood Curbing not to be laid in central portion of City.

## BY-LAW 32.

## BY-LAW No. 32.

*Respecting the Construction of Sidewalks of extra width.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Extra width of  
sidewalks to be  
paid for by  
property owners.

1. It shall not be lawful for the City Engineer, when any sidewalk is being laid on any street in the City to have any portion of such sidewalk made wider than the regular width required on said street, unless such extra width is paid for by the owner of the property fronting the portion of the sidewalk so widened.

Application to  
City Engineer.

2. Any person wishing to have any sidewalk so extended shall first sign an application in the City Engineer's office in the form appended hereto, and deposit there the estimated cost of said work.

"FORM OF APPLICATION."

The undersigned hereby makes application to have the sidewalk now being laid on.....street between.....street and.....street, extended to the width of.....feet for a distance of.....feet fronting his property No... and agrees to pay the full cost of all labor and materials expended in the construction of such additional width of sidewalk, the estimated cost of the same being \$.....

## BY-LAW No. 33.

*Respecting area excavations and openings for like purposes, in or under the streets or sidewalks.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Areas.

1. No owner, lessee or occupant of any lands in the City of Hamilton shall make or use, as appurtenant to the said lands or for the convenience of the occupants, any excavation in or under the street or highway adjacent to such lands, or shall make or use, as appurtenant to the said lands or for the convenience of the occupants thereof, any opening in the sidewalk or pavement of any such adjacent street or highway, or shall cause or allow such excavation

Covenant to re-  
pair and indem-  
nify against dam-  
ages cost &c.

**BY-LAW 33.**

or opening to be made or to remain or be used, unless the owner and owners, and, where the lands are let upon a building lease, the lessee or lessees under such building lease of said lands, shall first enter into a joint and several covenant for themselves, their heirs and assigns, with the Corporation of the said City of Hamilton to the effect that they will, from time to time, and at all times, well and sufficiently keep the said excavations and openings properly and securely covered, and the coverings thereof in good repair, and in a condition of safety for all persons travelling upon or using such street or highway, and indemnify and save harmless the Corporation of the City of Hamilton from and against all losses, damages, costs, charges and expenses they may pay, incur or be put to by reason of the making or using of such excavations or openings, or by reason of the same being allowed to remain or be used, or on account of any accident, damage or injury which may be caused by, or be sustained from, such excavations or openings, or from their not being properly and securely covered, or from the coverings thereof not being in good repair and in a condition of safety for all persons travelling upon or using such street or highway, and will also, from time to time, pay and make good to the said Corporation all sums of money they may expend in keeping such excavations or openings properly and securely covered and the covering thereof in good repair and in a condition of safety for all persons travelling upon or using such street or highway, and will at any time, when the Council shall, by resolution, so require, fill up and cover over such areas to the level of the street and to the satisfaction of the City Engineer.

Areas to be filled up on request of Council.

2. Such covenant shall also contain an agreement on the part of the owner or owners, and, where the lands are let upon a building lease, the lessee or lessees under such building lease of such lands, and their heirs and assigns, that, in case the Council of the City shall decide to put down asphalt pavement or any pavement or sidewalk requiring a solid foundation over such excavations or openings, such owner or owners, lessee or lessees, their heirs and assigns, shall put arches constructed of brickwork over such excavations, sufficient to make a good and solid foundation for such pavement or sidewalk, to the satisfaction of the City Engineer, and that, in case the City Council shall decide to put down a pavement of flag stones on such street or highway, the owner or owners, lessee or lessees, aforesaid, their heirs or assigns, shall, when required by notice from the City Engineer, place or build iron girders or build brick arches over such excavations or openings, in such manner as to form a good and sufficient foundation for such pavement of flag stones, to the satisfaction of the City Engineer; and further, that, in the event of the failure of such owner or owners, lessee or lessees, their heirs or assigns, to comply immediately with such notice from the City Engineer, the Corporation of the City of Hamilton shall have the right to

Covenant to contain agreement on the part of owner or Lessee to construct arches to the satisfaction of City Engineer.

In default City may order work done and collect the cost.

**BY-LAW 33.**

cause such arches to be constructed or such iron girders to be placed over such excavations, and to recover the cost thereof from such owner or owners, and lessee or lessees, their heirs or assigns or any of them.

Openings in sidewalk to be securely covered.

3. Every owner, lessee or occupant of any lands in the City of Hamilton, shall cause all openings in the sidewalk or pavement of the adjacent street or highway, made or used by any owner, lessee or occupant of such lands as appurtenant thereto or for the convenience of the occupants thereof, to be properly and securely covered, and the coverings thereof to be kept in good repair and in a condition of safety for all persons travelling upon or using such street or highway.

Foundations and supports for sidewalks to be made by owner or Lessee to satisfaction of City Engineer.

4. Whenever any owner, lessee or occupant of any lands in the City of Hamilton shall have made or used, or shall hereafter make or use, as appurtenant to the said lands or for the convenience of the occupants thereof, any excavation or opening in or under the street or highway adjacent to such lands, the owner or owners, for the time being, of said lands, and, where the lands are let upon a building lease, the lessee or lessees thereof under such building lease, shall make and maintain good and sufficient foundations or supports for the sidewalk or pavement over such excavation or opening, to the satisfaction of the City Engineer, and shall, from time to time, repair and rebuild the same whenever it shall be necessary to do so, or whenever he or they shall be required by the City Engineer, by notice in writing, so to repair or rebuild.

Penalty.

5. Every person guilty of a breach of this By-law shall incur a penalty of not more than fifty dollars for each such offence, and a similar penalty for every succeeding month that such breach of this By-law shall continue. the owner, lessee or occupant to be each liable for a separate penalty, and such penalty to be in addition to, and not in any way to prejudice or interfere with, any claim to indemnity or damages which the Corporation of the said City of Hamilton or any other person or persons may have or be entitled to by reason of the making or using of any such excavations or openings as are mentioned in this By-law, or by reason of the same being allowed to remain or to be used.

Penalties, how enforced.

6. The penalties hereby imposed may be recovered and enforced with costs in manner provided for by Sections 705, 706, 707 and 708 of the Municipal Act of 1897, and the whole of such penalties shall be paid to the Corporation of the City of Hamilton.

Refusal or neglect of owner to enter into covenant.

7. If the owner of the property adjacent to any such excavation or opening, in or under a street, sidewalk or pavement as hereinbefore mentioned, shall neglect or refuse to enter into a covenant with the Corporation of the City



of Hamilton to the effect hereinbefore required, or if the Council shall deem it proper or desirable that any such excavation or opening should not be allowed to remain, the Council may, at any time in their discretion, cause the same to be filled up or permanently closed.

**BY-LAW 34.**

Council may order excavation to be filled up.

8. Nothing herein contained shall authorize any person to make any such excavation or opening as hereinbefore mentioned, in or under any street, sidewalk or pavement, without first obtaining the leave of the Council so to do.

Permission of Council to be first obtained.

9. No such excavation or opening or outer wall thereof shall extend to a point nearer than three feet four inches from the inner face of the curb of the sidewalk or pavement, or from the outer edge of such sidewalk (or curbing,) if there be no curb, so as to allow room for any conduit for underground wires or pipes which it may be deemed expedient to lay down.

No opening to extend nearer than 3 ft. 4 in. from inner face of sidewalk or curb.

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### BY-LAW No. 34.

*Respecting overhanging or projecting Signs.*

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**T**HE Council of the Corporation of the City of Hamilton enacts as follows:

1. No person shall erect, place, maintain or continue any signboard or sign or any figure or article intended for that purpose, upon or over any street or sidewalk in the City of Hamilton, or which shall hang, extend or project over any such street or sidewalk, except upon and subject to the restrictions and regulations hereinafter contained.

Signboards, regulations, respecting erection.

2. No such signboard, sign, figure or article shall be so erected, placed, maintained or continued unless it is securely fastened to the building or premises adjoining the street or sidewalk belonging to or occupied by the person so erecting, placing, maintaining or continuing the same, and no such signboard, sign, figure or article, when entirely above the first storey of any building, shall hang, extend or project more than eight feet over such street or sidewalk, and if it be placed or extends below the second storey it shall not project more than four feet over such street or sidewalk or be at a less distance than eight feet at its lowest point from the highest level of the street or sidewalk below it or be of a larger size than a superficial area of eight square feet on each side thereof, and no signboard, sign, figure or article shall be attached or fastened to any post or other support in the street.

To be securely fastened to building.

If attached to 1st storey not to project more than eight feet.

If attached below 1st storey not to project more than four feet.

Superficial area of

**BY-LAW 34.**

Not to be placed so as to obstruct view of other buildings.

3. When any such signboard, sign, figure or article, although entirely above the first storey of any building, is so placed or is of such form or shape as to obstruct the view of the buildings beyond it by a person standing on the sidewalk on the same side of the street, it shall not be of a larger size than a superficial area of thirty-two square feet on each side thereof.

Persons erecting to be responsible for damages.

Owner and tenants or occupants to covenant with city to keep signboards securely fastened &c.

Indemnity against losses, damages, costs, &c.

To pay to City amounts expended in keeping signboard in safe condition.

To remove sign board on notice of City Engineer.

4. All persons erecting, placing, maintaining or continuing any such signboard, sign, figure or article upon or over any street or sidewalk shall be responsible as well to the City Corporation as to all other persons for any damage occasioned thereby, and no such signboard, sign, figure or article shall be so erected, placed, maintained or continued unless the owner or owners of the building or premises, to which the same may be fastened, and the tenant or occupant by whom such signboard, sign, figure or article may be erected, placed, maintained or continued, shall first enter into a joint and several covenant for themselves, their heirs and assigns, with the Corporation of the said City of Hamilton, to the effect that they will from time to time and at all times well and sufficiently keep the said signboard, sign, figure or article properly and securely fastened to such building or premises and the fastening thereof in good repair, and in a condition of safety for all persons travelling upon or using such street or sidewalk, and indemnify and save harmless the Corporation of the City of Hamilton from and against all losses, damages, costs, charges and expenses they may incur or be put to by reason of the erecting, placing, maintaining or continuing of such signboard, sign, figure or article, or by reason of the same being allowed to remain or continue or on account of any accident, damage or injury which may be caused by or be sustained from such signboard, sign, figure or article, or from its not being properly and securely fastened, or from the fastenings thereof not being in good repair and in a condition of safety for all persons travelling upon or using such street or sidewalk, and that they will also from time to time pay and make good to the said Corporation all sums of money that may be expended in keeping such signboard, sign, figure or article properly and securely fastened, and the fastenings thereof in good repair and in a condition of safety for all persons travelling upon or using such street or sidewalk, and will at any time when the Council shall by resolution or otherwise so require, or whenever the City Engineer may give notice as hereinafter provided, promptly and safely remove such signboard, sign, figure or article, and that they will also in all respects comply with the terms and conditions of this By-law and of all other By-laws which may from time to time be in force with reference thereto.

Record to be kept by City Engineer of Agreements.

5. An entry shall be made in a book to be kept in the office of the City Engineer, of every such agreement, which entry shall contain the street number of the building

to which the agreement relates, and the names of the parties to the agreement, and for such book there shall be kept an alphabetical index of the streets and numbers referred to in such agreements.

**BY-LAW 34.**

6. If any such signboard, sign, figure or article be not properly and securely fastened to the satisfaction of the City Engineer, or the fastening thereof be not in good repair to his satisfaction, or if it shall not be within the restrictions and limitations prescribed by this By-law, or if the requirements of this By-law with reference thereto have not been complied with, the same shall be forthwith removed by the owner or occupant of the building or premises at his own expense, or securely fastened, as the case may be, upon notice being given by the City Engineer to them or either of them requiring such removal or fastening, and in default of immediate compliance with such notice such signboard, sign, figure or article may be removed or securely fastened by the City Corporation, and the expense of such removal or of such fastening may be recovered from the owner and occupant of such building or from either of them, but nothing herein contained shall diminish or affect the liability of any person to any penalty imposed for a breach of this By-law.

City Engineer may order removal of signboard if unsatisfactory to him or not in compliance with this By-law.

In default of compliance, City may cause removal and collect expense.

7. No signboard, sign, figure or other article shall be erected, placed, maintained or continued upon any building or premises adjacent to any street or sidewalk unless it be securely fastened to such building or premises, and all persons erecting, placing, maintaining or continuing any such signboard, sign, figure or article adjacent to any street or sidewalk shall be responsible as well to the City Corporation, as to all other persons for any damage occasioned thereby, and if any such signboard, sign, figure or article be not securely fastened to the satisfaction of the City Engineer or the fastening thereof be not in good repair to his satisfaction, the same shall be forthwith removed or securely fastened, upon notice being given by the City Engineer requiring such removal or fastening, and in default of immediate compliance with such notice, such signboard, sign, figure or article may be removed or securely fastened by the said corporation and the expense of such removal or of such fastening may be recovered from the owner and occupant of such building or premises or either of them, but nothing herein contained shall diminish or affect the liability of any person to any penalty imposed for a breach of this By-law.

No signboard to be erected unless securely fastened to building.

Persons erecting signboards to be responsible to City as well as to other persons for damages.

8. Nothing in this By-law contained shall prohibit the erection or continuance for lighting and advertising purposes of any lamp post erected or continued in any public street in such position and of such form as may be approved of by the City Engineer, provided that such post is

Lamp posts for lighting and advertising may be erected.

**BY-LAW 35.** surmounted by a lamp which is lighted with gas or electricity supplied by or at the expense of the person or corporation erecting or maintaining such lamp.

### BY-LAW No. 35.

*Respecting the cutting, trimming or removal of trees.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

Trees may be removed by City Engineer when deemed necessary by Council.

1. Any tree, shrub or sapling, growing or planted on any public place, square, highway, street, lane, alley or other communication under the control of this Council, may be removed by the City Engineer or by anyone acting under his authority whenever such removal is deemed by this Council to be necessary for any purpose of public improvement or whenever such tree, shrub or sapling is or may become a nuisance in the highway or other public thoroughfare or may obstruct the fair and reasonable use of the same.

Trees may be trimmed.

2. Any tree, shrub or sapling growing or planted on any public place, square, highway, street, lane, alley or other communication under the control of this Council, may be trimmed from time to time by any person employed for that purpose by this Council.

Willow, Poplar or Cotton wood trees not to be planted.

3. No person shall plant upon any public highway in this City any willow, poplar or cotton wood tree, and any such trees planted or standing in any public highway may be removed by any person employed for that purpose by this Council, but the same shall not be removed until this Council shall order such removal.

Not to apply to trees in Parks.

4. Nothing herein contained shall extend to the trees, shrubs or saplings growing in the public parks of the City, which shall continue to be under the control of this Council.



## BY-LAW No. 36.

## BY-LAW 36.

*To regulate the width of tires on waggons and other vehicles.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. No person shall use, cause or suffer to be used any waggon, cart, dray or other vehicle of heavy draft, upon any street or highway in the said City for the purpose of drawing brick, sand, stone, iron, wood, coal, lumber, merchandise or articles of burden, when the weight of the loads exceeds two thousand pounds, and is under three thousand pounds, unless the tires upon the wheels of such waggon, cart, dray or other vehicle be at least three inches in width.

Width of waggon tires when load exceeds 2000 lbs. and is under 3000 lbs.

2. No person shall use or cause or suffer to be used, any waggon, cart, dray or other vehicle of heavy draft upon any of the streets or highways aforesaid for the purpose of drawing or conveying any of the materials or articles aforesaid, when the weight of the load exceeds three thousand pounds, unless the tires upon the wheels of such waggon, cart, dray or other vehicle be at least four inches in width.

Width of waggon tires when load exceeds 3000 lbs.

3. The owner or driver of any waggon, cart, dray or other vehicle, loaded with the articles aforesaid, or any of them, and having upon the wheels of the vehicle, tires under the widths aforesaid, shall, at the request of the Mayor, or of any Alderman, or of the Police Magistrate, or any Police Officer or Constable of the said City, cause the same to be weighed without delay at one of the City weigh scales, and after the load has been discharged, shall bring back the same vehicle to the same weigh scales and permit such vehicle to be re-weighed in order that the net weight of the load may be ascertained.

Owner or driver may be required to weigh load.

## BY-LAW No. 37.

*To Regulate the use of Waggon Brakes.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. No person shall use on any of the public roads within the City, a waggon brake which causes the tearing up of the surface of the roadway, nor shall anyone use upon

Waggon brakes not to tear up surface of road.

**BY-LAW 38.**

To have an iron or steel shoe.

a public road within the City a waggon brake, by which a wheel is prevented from revolving, without placing under such wheel an iron or steel shoe so made as not to tear up or injure the surface of the roadway, but nothing herein contained shall be construed as prohibiting the use of chain brakes or brakes without a shoe when the road is hard frozen and icy.

**BY-LAW No. 38.**

*Respecting Local Improvements and Special Assessments therefor.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. All petitions for local improvements to be made under the provisions of this By-law, when received by the Council and referred to the proper Committee, shall be examined by the City Clerk, whose duty it shall be to ascertain and finally determine by the last revised assessment roll, or in accordance with Sub-section 5 of Section 669, of the Municipal Act, 1897, whether the same are signed by two-thirds in number of the owners, representing at least one-half in value of the real property to be directly benefited thereby, and liable to special assessment for the proposed improvements, and such petitions when found to be correct, as aforesaid, shall be numbered by him in the order they are received, and be entered in a book to be kept for that purpose, to be entitled "the local improvement book" and the Clerk shall endorse upon such petitions his certificate of the correctness thereof, and shall forthwith transmit the same to the proper Committee. In any case when the petitions shall be found to be insufficiently signed they shall be so certified by the said Clerk, and forwarded in like manner to the respective Committee for consideration.

2. Upon receipt of any such petition sufficiently signed, the Committee shall forthwith refer the same to the City Engineer who shall at once examine into the subject matter of the petition and report to the Committee upon the necessity for, or the advisability of, undertaking the proposed improvement work or service, and the reasons therefor, and particularly whether in the case of sewers and drains the same are desirable for sanitary purposes.

3. In any case where the Council shall decide in favor of the undertaking of any work, improvement as a local improvement, and recommend that the cost thereof be

Petitions for local improvements to be referred to City Clerk for his certificate as to number of signatures.

Mode of ascertaining number of signatures.

Local Improvement Book.

City Engineer to report on petition.

Improvements initiated by Council.

**BY-LAW 38.**

assessed against the real property immediately benefited thereby, although no petition has been presented for the same, or the petition therefor has been insufficiently signed, it shall be the duty of the City Clerk to cause a notice of the intention of the said Council to undertake such work, improvement or service, and to make such proposed assessment, to be given in at least three newspapers published in the City of Hamilton, once in each week for two weeks, and the said notice shall state generally the nature of the proposed improvement, work or service, and the estimated cost thereof; and that unless a petition against the proposed improvement signed by a majority in number of the owners representing at least one-half in value of the real property to be benefited, be presented to the Council within one month from the last publication of the said notice, the proposed improvement, work or service will be undertaken, and the special assessment therefor will be made by the Council.

Notice to be given

4. In the event of the Council undertaking any such work or improvement, the City Engineer shall forthwith file with the City Clerk an estimate of the probable cost of the proposed work or improvement.

City Engineer to file with City Clerk estimate of cost, work or improvement.

5. If it be decided to do the work by contract, then after the contract has been awarded, the necessary contract shall be prepared, and upon the execution of the contract agreement, and not until then, the City Engineer may authorize the work or improvement, to be proceeded with and carried out to completion.

If work done by contract. Contract to be executed before work is commenced.

6. For the purpose of enabling the Council to avoid the necessity of making supplementary assessments or of refunding in case of over assessments, and for the purpose of ascertaining the exact cost of any work or improvement done or constructed as a local improvement, the Council may make agreements for temporary advances and loans for meeting the cost of the work or improvement until the completion thereof, and may make special assessments for the cost thereof, after the work or improvement has been completed, and may then pass the necessary By law authorizing the issuing of debentures to repay the amount of the temporary loan or advance.

Temporary advances or loans.

Assessment to be made after completion of work.

7. After the completion of any such work or improvement, and after the entire cost thereof, including compensation (if any), shall have been ascertained, the City Engineer shall certify the total amount to the City Treasurer, and shall file a certificate with the City Clerk of the probable lifetime of the work or improvement.

City Engineer to certify cost of work to City Treasurer.

8. The Assessment Commissioner shall on or before the 1st day of December in each year, after proper examination and inspection report to the City Clerk;

Assessment Commissioner to report.

**BY-LAW 38.**

Property  
benefited.

(1) What real property will be immediately benefited by the work or improvement ;

Proportion of cost  
to be made on pro-  
perty benefited.

(2). The proportion in which the assessment of the cost thereof is to be made on the various portions of real estate so benefited ; and

Measurement of  
frontages liable to  
assessment.

(3) A measurement of the frontages liable to assessment for the cost of the work or improvement, and of the frontages exempt from taxation.

Assessment of  
corner lots.

9. Where lots are situate at the corner or intersection of streets upon which such work or improvement has been or may hereafter be made, the Assessment Commissioner shall, in making the assessment, allow on the side of the lot to be assessed as many feet as may in his opinion be just and equitable, having due regard to the situation, value and superficial area of such lots as compared with adjoining lots and pieces of land assessable for such work or improvement, and may charge the amount of any such allowance made on any such lot or piece of land, on the other property fronting on the work or improvement, or assume the same as a portion of the municipality's share of the work or improvement, the said matters to be subject to appeal to the County Court Judge.

Report of Assess-  
ment Commis-  
sioner to be open  
to inspection.

10. The report of the Assessment Commissioner shall be kept open for inspection in the office of the City Clerk for at least ten days.

City Treasurer to  
ascertain interest  
chargeable to  
work.

11. The City Treasurer as soon as possible after the report of the Assessment Commissioner under the last preceding section has been made to the City Clerk, shall ascertain the entire cost of any such work or improvement together with the amount properly chargeable for interest on the advances made and the estimated interest which will accrue thereon until the necessary assessment shall have been made, the By-law passed and the debentures to be issued thereunder disposed of, and the monies provided to retire the temporary loan, with interest as aforesaid, and report the same to the City Clerk.

Assessment Com-  
missioner to re-  
port to City Clerk  
number of feet  
assessable, &c.

12. After the entire cost of any such work or improvement has been ascertained the Assessment Commissioner shall report to the City Clerk not later than the 1st day of December in any year, the number of feet frontage assessable for the same and the proportion of the cost to be borne by the City and property owners respectively.

Notice of sitting  
of Court of  
Revision.

13. The City Clerk shall cause a written or printed or partly written and partly printed notice of the sitting of the Court of Revision for the confirmation of every special assessment, to be given to the owners or to the lessees, having the right to petition or to the agents of such owners or



lessees, which notice shall contain a general description of the property in respect of which the same is given and the nature of the work or improvement, the total cost thereof, the amount of the assessment on the particular piece of property and shall be mailed to the address of the person entitled to receive the notice at least fifteen days before the day appointed for the sitting of the Court; ten days notice of the time and place of the meeting of the Court shall also be given by publication in at least three newspapers published in the City.

BY-LAW 39.

Notice of Assessment.

### BY-LAW No. 39.

*For ascertaining the number of Owners petitioning against Local Improvements.*

THE Council of the Corporation of the City of Hamilton enacts as follows:

Whenever any petition is presented against any proposed local improvement, of which notice has been duly advertised in the newspapers, it shall be the duty of the City Clerk to ascertain and finally determine from the last revised assessment rolls, or in accordance with sub-sec. 5 of sec. 669 of the Municipal Act 1897, whether a majority in number, representing one-half in value of the real property to be benefited have signed the petition against the proposed improvement, and to certify his finding by indorsement on the petition, such certificate to be final.

Petitions against Local Improvements, how signatures are determined.

### BY-LAW No. 40.

*To regulate the Fire Department.*

THE Council of the Corporation of the City of Hamilton enacts as follows:

1. The Fire Department of the City of shall consist of a Chief Engineer, a Foreman, Sub-Foremen, and such number of Firemen as may be required from time to time, who shall be supplied with proper badges to be worn by them while on duty, the Foreman, Sub-Foremen and men to do duty as directed by the Chief Engineer

Fire Department, Constitution of

**BY-LAW 40.**

Officers to hold office during the pleasure of the Council.

Firemen, other than Officers to be appointed by Fire and Water Committee.

Firemen to be enrolled.

2. The officers shall be appointed by and hold office during the pleasure of the Council.

3. The Firemen, other than the officers of the Department, shall be appointed by the Fire and Water Committee, subject to the approval of the City Council.

4. The firemen shall be enrolled by the Chief Engineer in a register to be kept by him for that purpose, which shall be in the following form :

REGISTER OF FIREMEN IN THE CITY  
OF HAMILTON.

Register.

Agreement to observe Rules and Regulations, &c.

We, whose names are subscribed hereto, agree severally to serve the Corporation of the City of Hamilton as firemen, and severally agree to observe and obey the commands and orders of the officers of the Fire Department, and faithfully observe all By-laws, Rules and Regulations of the Corporation of the City of Hamilton touching our duties as such firemen.

Apparatus.

5. The apparatus of the Fire Department shall consist of fire engines, horses, hose and hose waggons, combination chemical engines and hose waggons, hook and ladder trucks and such other apparatus as may be deemed necessary by the Council.

Officers to devote their whole time to duties.

6. The Chief Engineer, Foreman and Sub-Foremen shall devote the whole of their time to the duties of their respective offices ; in the absence of the Foreman his duties and authority shall devolve upon the Sub-Foremen, who shall do regular duty as directed by the Chief Engineer.

Officer in charge to have command of men at fires.

7. The Chief Engineer, Foreman, Sub-Foreman, or other member in charge, shall have full command of all firemen at all fires, and whenever the said firemen, or any of them, shall be performing any duty required of them under the provisions of this By-law.

Firemen to obey commands of officers.

8. The firemen shall at all times obey the lawful commands of the Chief Engineer, Foreman, Sub-Foreman, or other member in charge, and shall be liable to be dismissed at any time by the Fire and Water Committee.

Citizens present if requested, shall assist in extinguishing fires.

9. All citizens present at any fire shall, at the request of the Chief Engineer, Foreman, Sub-Foreman, or member in charge, assist in extinguishing the fire in such manner as such person shall be directed by the said Chief Engineer, Foreman, Sub-Foreman or member in charge, and any person engaged at a fire, requested as aforesaid to assist, who shall refuse or neglect to obey any order of the Chief Engineer, Foreman, Sub-Foreman, or member of the said

Refusal to assist.

Fire Department in charge, shall be deemed to be guilty of an offence against this By-law. **BY-LAW 40.**

**10.** The whole Fire apparatus and management of the Fire Department shall be under the direction of the Chief Engineer, subject to the instructions of the Fire and Water Committee, but at every fire the Chief Engineer, Foreman, Sub-Foreman, or member in charge, shall have sole control over all members of the Fire Department, and over all Firehose, apparatus, horses, and working tools belonging to the department.

Whole apparatus and management to be under control of Chief Engineer subject to Fire and Water Committee.

**11.** The Staff on the Steam Fire Engine shall consist of three men, as follows: One Engineer, one Fireman and one Driver. The Engineer of the Steam Fire Engine, under the Chief Engineer, shall at all times have full control over his Fireman, and it shall be the duty of the Engineer to instruct his Fireman in all that appertains to the knowledge of running the Steam Fire Engine, so that in the absence of the Engineer, the Fireman, may become competent to properly run the Engine.

Steam Fire Engine Staff

Fireman to be instructed.

**12.** The Engineer of the Steam Fire Engine shall promptly obey all orders of the Chief Engineer. It shall be the duty of the Engineer of the Steam Fire Engine to see that the Engine is always kept in proper order and ready for use at any moment, and in case any important repairs may be required that would take time, he shall report the same in writing, in detail, to the Chief Engineer, and such repairs shall be done under the supervision of the Engineer of the Steam Fire Engine, under the authority of the Chief Engineer.

Duties of Engineer of Steam Fire Engine.

Repairs to Engine.

**13.** The Chief Engineer, Foreman, Sub-Foreman, or member in charge at any fire in the City is hereby empowered to cause to be pulled down or demolished any adjacent houses or other erections, the destruction of which would in his opinion be necessary to prevent the spreading of fire, but not otherwise.

Houses or erections adjacent to fire may be pulled down if necessary to prevent spread of fire.

**14.** In the absence of the Chief Engineer, the Foreman, and in his absence the Sub-Foreman, and in their absence the member of the Department designated for the time being by the Chief Engineer, shall have full power to do and perform the duties of the Chief Engineer.

In absence of officers persons appointed shall have command.

**15.** On all occasions of fire, the street in front of the fire and for a distance of one hundred feet on each side of the fire, and also any lane or by-lane between the public street and the rear of any premises on fire, through or along which it may be necessary to run any hose or fire apparatus, shall be kept clear of all persons who obstruct in any way the workings of the Fire Department, and every person in any of the places above mentioned shall

200 feet on street in front of fire, and lanes in rear to be kept clear of obstructions.

**BY-LAW 40.** immediately retire therefrom when called upon to do so by the Chief Engineer or any member of the Fire Department, or any policeman of the said City.

Persons not to  
impede or hinder  
firemen.

**16.** No person or persons shall in any way wilfully impede or hinder any fireman or other person who shall be assisting in extinguishing a fire, or be engaged in the performance of any other duties in connection therewith, nor shall any person drive any vehicle whatever over any hose while in use, or about to be used.

Hose not to be  
driven over.

**17.** It shall be the duty of the Chief Engineer, Foreman, Sub-Foremen and every member of the Fire Department, and every employee of the City of Hamilton who may have occasion to use any property of the Fire Department, to take good and proper care of such property and said property is not to be lent, given away or used except in the service of the Fire Department.

Care to be taken  
of property of  
Fire Department.

Not to be lent or  
given away.

Each member to  
devote his whole  
time to duties of  
Department.

**18.** Each member of the Fire Department shall devote his entire time to the service of the City, subject, however, to such rules and regulations as may from time to time be made by the Fire and Water Committee, and shall do duty as directed by the Chief Engineer; the Firemen shall keep the horses, harness, hose and other apparatus at the several fire stations in a neat and clean condition and ready for immediate use, and shall regularly train the horses to their work as directed by the Chief Engineer.

Apparatus to be  
kept clean.

Not to be absent  
without  
permission.

**19.** No member of the Fire Department shall absent himself from duty without the consent of the Chief Engineer or officer in charge, and any member may be dismissed for absence from duty, except in case of sickness, when a medical certificate shall, if required, be produced.

Chief Engineer  
may suspend.

**20.** The Chief Engineer may suspend and report to the Chairman of the Fire and Water Committee, who shall report to the Committee, any member of the Fire Department for disobedience of orders, neglect of duty or other improper conduct, and of such disobedience of orders, neglect of duty or other improper conduct the said Committee shall be the sole judge, and may dismiss any member for such cause.

To report suspen-  
sion to Fire and  
Water Committee

Members of  
Department may  
be dismissed for  
certain causes.

**21.** Any member of the Fire Department who, while on duty, shall become intoxicated, or make use of any profane, obscene or grossly insulting language, may be dismissed by the Fire and Water Committee.

Gambling or play-  
ing cards pro-  
hibited.

**22.** No member of the Fire Department, or other person shall, at any of the Fire Stations, gamble or play any game of cards, nor bring to, or keep in or about any such station, any cards or intoxicating liquors.



**23.** The Chief Engineer, Foreman, Sub-Foreman or other member in charge shall attend all fires within the City and direct the operations at the same; the Chief Engineer shall cause to be kept a record of all fires or alarms of fires within the city, the number and description of buildings destroyed or damaged, the names of the owners or occupants thereof, the amount of losses sustained and the insurance thereon, if any, as nearly as can be ascertained, and report the same annually to the Fire and Water Committee, and shall generally perform such duties appertaining to his office as may be required of him by the said Committee.

**BY-LAW 40.**

Chief Engineer, Foreman and Sub-Foreman to attend all fires.

Chief to keep records of fires, etc.

**24.** It shall be the duty of the Chief Engineer to keep the Fire Alarm Telegraph system and Water Works Signal Service lines, both in and out of the City, in proper working order, the City providing all materials and labor.

Chief to keep Fire Alarm Telegraph System and Water System in order.

**25.** The following shall be the salaries of the officers of the Fire Department, exclusive of uniform :

Chief Engineer, . . .	\$2,000 00 per annum.
Foreman, . . . . .	726 00 "
Sub Foremen, . . . . .	686 40 "
Engineer of the Steam Fire Engine, . . . . .	660 00 "

Salaries.

The men acting as Station Foremen shall be appointed to the position by the Chief Engineer, and shall receive ten cents per day extra.

Station Foremen extra pay.

**26.** There shall be five grades of rank for firemen, and their salaries shall be as follows :

For the first six months, . .	\$36 00 per month.
For the second six months, .	40 00 "
After the second six months,	45 00 "
After four years continuous service, . . . . .	47 50 "
After seven years continuous service, . . . . .	50 00 "

Grades of rank of Firemen.

**27.** The Fire and Water Committee are hereby empowered and authorized to make from time to time such rules and regulations for the government of the Fire Department as are not embraced in this By-law and which they may deem necessary, the same to be approved of by the Council.

Fire and Water Committee to make Rules and Regulations.

**28.** Any complaints or any disputes that may arise between any of the officers, or officers and firemen, or between firemen, shall be heard and determined by the Fire and Water Committee, where the determination thereof is not provided for.

Complaints or disputes.

## BY-LAW 41.

## BY-LAW No. 41.

- (1). *To define the Fire Limits.*
- (2). *To regulate the erection of Buildings.*
- (3). *To make provision for the Inspection of private drains.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

*Building Inspector.*

Building In-  
spector.

1. The Council shall from time to time appoint a competent, practical and discreet man to be inspector of buildings and of fire limits and private drains, at such salary as the Council may think fit to provide, the person so appointed to be called the Building Inspector, and to hold office during the pleasure of the Council.

Duties of.

2. The duties of the Building Inspector shall be as follows :

To take care of  
plans of Buildings  
deposited with  
him.

(1). He shall receive and take due care of all plans and descriptions of buildings deposited with him under the provisions of this By-law and record the same in a book to be kept in his office for that purpose, and shall keep such book properly indexed and open for inspection and reference, and issue permits in accordance with the terms of this By-Law, and he shall also record in a book to be kept by him all reports and complaints made to him as Building Inspector.

To keep a record  
of reports and  
complaints.

To inspect all  
buildings being  
erected, altered or  
enlarged.

(2). He shall inspect all buildings while being erected, altered or enlarged within the City, and all scaffolding put up or used in connection therewith, and also the erections placed by the builder or contractor upon any street, lane or alley adjacent to any such building or any obstruction or want of repair in any such street, lane or alley caused by the deposit of building material or by the carrying on of the works.

Scaffolding and  
erections.

To examine  
chimneys, fire-  
places, hearths,  
ovens, &c., and  
places where Com-  
bustible materials  
may be source of  
danger from fire.

(3). He shall examine carefully, when requested to do so, or whenever he may deem it necessary or proper, all chimneys, fire-places, hearths, ovens, boilers, furnaces, stoves, steam pipes, stove pipes, funnels, flues and all places where fires are made or kept, or where ashes are kept, or where there may be any hay or straw, or any buildings, fences or erections or lumber or other combustible material which may be a source of danger from fire to the adjacent property within the city, and he shall notify the owner, occupant or party using the building or premises where any such thing may be a source of danger from fire, to discontinue the use of or to remove the same.

(4). He shall inspect the drains of all buildings in the course of erection, and also all drains made or re-laid from any buildings already erected and see that such draining is done in a thorough manner, and shall keep a record of every inspection, and of his decision and action thereon, in a book to be provided by the Corporation for that purpose, and shall make in such book a small diagram showing the location of each drain therein referred to.

**BY-LAW 41.**

To inspect drains of buildings in course of erection.

(5). He shall inspect the drains connected with or leading from or situate in any building or premises in the City when requested to do so by the Medical Health Officer, or by the Sewers Committee or the Chairman thereof, and if he finds the same to be out of repair or not properly constructed, or otherwise defective, or the drains not properly trapped or ventilated, he shall notify the owner or owners thereof in writing, calling their attention thereto and calling on them to re-construct, alter or repair the same.

To inspect drains from buildings when requested by Medical Health Officer, Sewers Committee or Chairman thereof.

3. It shall also be the duty of the Building Inspector to enforce the provisions of this By-law, and that he may be able to do so in all respects, the City Engineer shall notify him of the intended construction or re-construction of any pavement where conductors or gutter pipes are to be connected with the sewers under section 34 of this By-law, and also of any violation which may come under his notice of the provisions of this By-law affecting the streets, sidewalks, pavements or sewers of the City.

City Engineer to notify Inspector of intended construction of pavements where conductor pipes are to be connected, &c.

*Fire Limits.*

4. All that part of the City of Hamilton, embraced in the following limits or boundaries shall hereafter constitute and be known as the fire limits of the City of Hamilton : Commencing on the westerly limit of Wentworth street at its intersection with the southerly limit of the lands of the Grand Trunk Railway Company, formerly the main line of the Great Western Railway, thence southerly along Wentworth street to the lands of the said Company, formerly belonging to the Hamilton and Lake Erie Railway Company, thence in a northwesterly direction along the northerly limit of said lands to Young street, thence westerly along Young street to Ferguson avenue, thence southerly along Ferguson avenue to the John street mountain road, thence in a southwesterly direction along said road to the point where that road is intersected by the short road leading up the mountain in a southwesterly direction from the head of John street, thence in a straight line in a northwesterly direction to Aberdeen avenue at its intersection with the James street mountain road, thence westerly along Aberdeen avenue to Locke street, thence northerly along Locke street to King street, thence westerly along King street to Dundurn street, thence northerly along Dundurn street and in continuation of the line of that street to the lands of the Grand Trunk Railway Com-

Fire Limits south of Main line of Grand Trunk Railway.

**BY-LAW 41.**

Exception.

pany, thence in a straight line in a southeasterly direction to Barton street at its intersection with the east side of Oxford street, thence easterly along Barton street to Queen street, thence southerly along Queen street, to Clarence street, thence easterly along Clarence street to Hess street, thence southerly on Hess street to Cannon street, thence easterly on Cannon street to Railroad street, thence northerly on Railroad street to Mulberry street, thence easterly on Mulberry street to Bay street, thence northerly on Bay street to the southern limit of the lands of the Grand Trunk Railway Company, thence easterly along the southerly limit of the lands of said Company to the place of beginning; but excepting from the fire limits hereinbefore described the area of land bounded on the east by Cathcart Street, and by a line continuing the western boundary of Cathcart Street to the lands of the Grand Trunk Railway Company, on the north by the southerly limit of the lands of said Railway Company, on the west by Ferguson Avenue, and on the south by an alleyway extending from Ferguson avenue to Cathcart street along the southern boundary of lots 125 to 129 in John Ferguson's survey.

Fire Limits north  
of Main line of  
Grand Trunk  
Railway.

(1) The said fire limits shall also include that portion of the City of Hamilton embraced in the following limits or boundaries, namely: Commencing on the easterly limit of John street at its intersection with the northerly limit of the lands of the Grand Trunk Railway Company, thence northerly along the easterly limit of John street to Guise street, thence westerly along Guise street to James street, thence southerly along James street to Burlington street, thence westerly along Burlington street to within fifty feet of the waters of Burlington Bay at high water mark; thence southerly following the line of the Bay shore at a distance of fifty feet easterly from high water mark to Simcoe street, thence easterly along Simcoe street to Bay street; thence southerly along the west side of Bay street to its intersection with the northerly limit of the lands of the Grand Trunk Railway Company, thence easterly along said limit to the place of beginning; and also the land on the east side of John street to the depth of one hundred feet from the northerly limit of the lands of the Grand Trunk Railway Company to Guise street, and the lands on the west side of Bay street to the depth of one hundred feet from Simcoe street to the northerly limit of the lands of the Grand Trunk Railway Company.

*Deposit and Inspection of Plans.*

Plans of buildings  
to be deposited  
with Inspector.

5. No person shall commence the erection of any building, or part of a building, of the cost of more than \$100, within the City until he shall have deposited with the Building Inspector a ground or block plan showing the level of the cellar and basements thereof, with reference to



the grade line of the adjoining street or streets as laid down or recorded in the office of the City Engineer, and also a description showing the materials with which the walls of the building are to be constructed, and has obtained a permit from the Building Inspector to proceed therewith. Every contractor or builder shall produce to the Building Inspector for inspection whenever required by him, the plans of any building which such contractor or builder may be erecting within the City limits.

**BY-LAW 41**

Description of  
materials to be  
used.

*Outer Walls and Partitions.*

6. Every building, or part of a building made, constructed or placed within the said fire limits, shall be built with outer walls of iron, stone or brick, and when such building or part of a building is built with outer walls of iron, such walls shall not be less than one-eighth of an inch in thickness; when the outer walls are built of stone or brick, and such building or part of a building is more than one-and-a-half and less than three storeys in height, the outer walls shall be at least eight and one-half inches in thickness, and when three storeys in height, the outer walls of the first and second storeys shall be not less than twelve inches in thickness and of the third storey not less than eight and one-half inches in thickness, and when more than three storeys in height the outer walls of the first storey shall be not less than sixteen inches in thickness and of the second and third storeys not less than twelve inches and of the upper storey not less than eight and one-half inches in thickness.

Outer Walls and  
Partitions.

(1) Every mansard roof shall for the purposes of this By-law be considered as a storey, and such storey must be divided by brick or stone partition walls as hereinafter provided, when such partition walls are extended to the storey next below it.

Mansard Roofs.

(2) Every building within the fire limits which is to be divided into one or more stores, tenements or dwellings, and whether the same is being newly constructed or is being altered or rebuilt, shall be so divided by brick or stone partition walls running from the front to the rear of such building and extending from the foundation to the full height of each partition, such partition walls to be not less than eight and one-half inches in thickness, if not extending more than three storeys in height, but if extending beyond that height, such partition walls up to and inclusive of the third storey shall be not less than twelve inches in thickness, and the partition walls above the third storey shall be not less than eight and one-half inches in thickness, and all such partition walls where they divide the top storey of a building shall be continued and built up to a height of twelve inches above the roof.

Partition Walls.

**BY-LAW 41.**

Hall or large room  
party walls to be  
carried to floor of.

(3) Where any hall or large room is to be constructed on an upper storey, and is to extend over two or more of such stores, tenements or dwellings, the brick or stone party walls shall be carried from the foundation to the top of the floor joist of such hall or room, and the flooring of said hall or room where passing over the tops of such partition walls shall be solidly bedded upon a half-inch coating of asbestos mortar.

Space between  
ends of joists to be  
filled with brick  
and mortar.

(4) In all cases the ends of any and all joists resting in or upon any brick or stone wall or partition shall be at least four inches apart in each direction, and any space intervening between the ends of such joists shall be filled with brick and mortar.

*Towers.*

Towers.

(5) No wall or part of a wall of any tower within the City Limits shall be built upon any wooden beam or wooden girder or support.

*Elevator Shafts.*

Elevator Shafts.

(6) Every elevator shaft shall be constructed with brick walls not less than eight and one-half inches in thickness, with iron doors to each opening, commencing at the lowest point reached by such elevator and extending at least five feet above the roof of the building, and the roof of each elevator shaft shall be formed by a skylight ;

Automatic Doors.

(7) Or shall be made with sides consisting of bars of iron open on each storey, and shall have horizontal fire proof doors on each flat, which shall automatically close the elevator opening in the floor when the building shall be heated by any fire, that might spread from the flat below through the elevator opening, such automatic doors to be made and placed in position to the satisfaction of the Building Inspector and the Chief Engineer of the Fire Department.

*Brick Veneer.*

Brick Veneer.

7. Any one or two storey frame building already erected may be bricked up with four-inch brick walls within said fire limits, if placed on a stone foundation.

*Roofs.*

Roofs, materials  
to be used in  
covering.

8. All roofed buildings within the fire limits shall be finished externally with tin, iron, zinc, copper, slate, tile or felt and gravel, or with shingles laid in hair mortar, not less than one-quarter of an inch in thickness, or with shingles laid on fire-proof felt or with some other material of an in-

combustible nature, and no roof of any building already erected in the said fire limits shall be re-laid or re-covered except with materials hereinbefore enumerated. **BY-LAW 41.**

*Wooden Buildings.*

**9.** Nothing herein contained shall be so construed as to prevent the erection within the said fire limits of any building constructed of material other than with walls of iron, stone or brick, not exceeding 216 square feet in area and 16 feet in height at the highest part of the roof thereof, or to require such building to be roofed in the manner hereinbefore directed, provided such building shall not front upon any street; nor shall more than one such frame building be erected on the same lot or premises. No building with outer walls other than of iron, stone or brick, shall be built within the area bounded by Ferguson avenue on the east, Hunter street on the south, Bay street on the west, and Cannon street on the north; or within the area bounded by Ferguson avenue on the west, Main street on the south, Wellington street on the east, and King William street on the north.

Wooden Buildings not exceeding 216 square ft. may be built.

Except in certain districts.

**10.** No building or part of a building within the fire limits, other than with main walls of brick, stone or iron shall be raised, enlarged or removed to any other place within the same, nor shall any such building be removed into the fire limits; nor shall any wooden building within said limits which may hereafter be damaged to the extent of fifty per cent of the value thereof be repaired or rebuilt, nor shall such building, where the damages are less than fifty per cent. of its value, be so repaired as to be raised an additional storey or part of a storey, or so as to occupy a greater space than before the damage thereto, but nothing herein contained shall prevent any one from putting a stone or other substantial foundation under any existing wooden building, such foundation not to be more than four feet above the established grade of the adjoining street, nor shall it prevent any one from removing a wooden building towards the rear of the lot on which it stands, provided it is not placed within two feet of the land of any adjoining owner, or of any other wooden building on the same lot or premises

Wooden Buildings not to be raised, enlarged, or removed into Fire Limits.

Wooden Buildings damaged 50% not to be repaired.

Wooden Buildings damaged less than 50% may have certain repairs.

**11.** Any owner or contractor who shall build or aid in the erection of any building or part of a building within the fire limits, or shall remove or assist in removing any such building, or shall repair or assist in repairing any damaged building contrary to any of the provisions herein contained shall be deemed to be guilty of an offence against this By-law.

Persons building contrary to provisions, guilty of an offence.

**BY-LAW 41.***Pulling Down and Removal by Inspector.*

Pulling down of  
Buildings by  
Inspector.

**12.** Any building or erection which may be constructed, repaired or placed in contravention of this By-law may be pulled down or removed, at the expense of the owner thereof, by or under the direction of the Building Inspector; but it shall be the duty of the Inspector, before pulling down or removing such building or erection, to obtain the consent of the Market, Police and Jail Committee, or of the Mayor, to his so doing, and to give two days' notice to the owner or builder requiring him to pull down or remove such building or erection.

*Fire Escapes.*

Fire Escapes.

**13.** All public buildings, hotels, halls, theatres, factories and schools more than two storeys in height shall be provided with two or more fire escapes, securely fastened to the outer walls of such buildings, hotels, halls, theatres, factories or schools, and connected with one or more windows in each storey except the first.

*Fireworks and Dangerous Manufactures.*

Manufacture and  
Storage of inflam-  
mable substances.

Gunpowder,  
Dynamite.

**14.** No person shall use or occupy, within the limits of this city, any building for the manufacture of turpentine, camphene, or other dangerous or easily inflammable or explosive substances, or for the storage of fireworks of any description, gunpowder or dynamite in any quantity of more than twenty five pounds, nor shall any person use for manufacturing or other purposes machinery which causes danger from fire, unless it is located in a building not less than fifty feet distant from any other building.

*Chimneys.*

Chimneys, height  
of.

**15.** Every chimney within the fire limits shall be carried to a height of not less than six inches above the ridge or deck of any roof carried by or connected with or abutting upon the walls to which said chimney is attached, and where a chimney is used to carry away smoke or noxious vapors from any manufactory where an engine and boiler of more than twenty horse-power are used, such chimney shall not be less than seventy-five feet in height above the level of the street adjoining such manufactory, and shall be built entirely of brick, laid with good mortar.

*Furnaces and Stoves.*

Timbers not to be  
placed within one  
foot of furnace,  
etc.

**16.** No timber shall be placed within one foot of the inside of any oven, copper still, boiler or furnace, nor within four and a half inches of the opening of any chimney or within four and a half inches of the inside of any flue.



**17.** No person shall hereafter place any furnace or stove in any house or building in the city without leaving twelve inches clear from any wood-work immediately above such furnace or stove, and nine inches from any wood-work opposite the sides of the same, and no person shall place, maintain or use any furnace upon or over a wooden floor unless there is immediately underneath the furnace and extending a distance of four inches on each side beyond the outer walls of such furnace a bed of concrete not less than six inches deep enclosed in a metal frame or a brick bed not less than six inches thick laid in mortar, and there is also an air space of at least three inches between the furnace and such bed.

**BY-LAW 41.**

Furnaces and Stoves, regulations respecting.

(1) All open fire-places or grates shall have the hearth laid upon trimmer arches of brick or upon iron girders.

Open Fire Places and Grates.

**18.** No pipe or funnel for conveying steam or hot air shall be fixed next any public street or highway, on the front of any building, nor shall any exhaust steam pipes be allowed to enter any sewer, nor shall any funnel, pipe or flue for conveying fire or smoke be fixed on the inside of any building nearer than twelve inches to the face of any timbers of roofs, ceilings or partitions; nor shall any such funnel, pipe or flue pass through any timber framing, or partition of wood, or wood and lime, or through any wooden floor, in any house, outhouse, fence or building whatever, within the said City, unless there shall be a space of at least six inches clear between the said funnel, pipe or flue and such framing, partition or floor, and unless the same shall pass through a chimney of stone, or brick and mortar, or shall be encircled by a rim of solid stone, or brick and metal, not less than three inches wide, and equal in thickness to the full finished thickness of the framing through which such pipe shall pass.

Pipes and Funnels where to be situated.

Exhaust Steam not to be discharged into Sewers.

Smoke or Fire flues, regulations.

**19.** No occupant of any house or building within the said City shall permit any pipe-hole, not in use as a smoke flue, in any chimney in such house or building to remain open, and not closed with a stopper of metal or other incombustible material.

Pipe Holes to be stopped.

*Ashes.*

**20.** All depositories for ashes shall be built of brick, stone or iron, and no person within the said City not having an ashpit as above prescribed, shall keep more than ten bushels of wood ashes on his premises.

Depositories for Ashes.

*Hay, Straw and Shavings.*

**21.** No person shall place or permit to be placed, any hay, straw, shavings or other combustible material uncovered in any yard or lot of ground, within one hundred feet of any building.

Combustible materials not to be left uncovered in Yard, etc.

**BY-LAW 41.**

Fires not to be made in Streets, etc.,

(1) No person shall set fire to any shavings, chips, straw, or other combustible matter, for the purpose of consuming the same, in any street, square or lane, in the City.

*Smoking or Carrying Lights*

Smoking or carrying lights prohibited where combustible materials are kept.

22. No person shall smoke or have in his possession any lighted pipe, cigarette or cigar, in any stable, carpenter or cabinet-maker's shop, or other shop or building where straw, shavings, or other combustible material may be, or carry or keep, or suffer to be carried or kept, any lighted lamp or candle in any livery or other stable within the said City, unless such lamp or candle shall be enclosed in a lantern or shade so as to prevent any accident from fire therefrom.

*Unsafe Buildings or Scaffolding.*

Building Inspector to notify owner of unsafe Buildings or Scaffolding.

Penalty.

23. When any building, or scaffolding in course of erection within the City shall be considered unsafe by the Building Inspector, he shall at once notify the owner, contractor or agent to make the same safe and secure and every person so notified, who fails within twenty-four hours to comply with such notice, shall be subject to the penalties imposed by By-law No. 68.

*Dilapidated Buildings.*

Building Inspector may tear down dilapidated and unsafe Buildings.

Expense of removal may be recovered.

24. If any building, fence or erection, within the City shall, by reason of its ruinous or dilapidated state, be in an unsafe condition as regards danger from fire or other dangerous risk or accident, or where any yard within the City shall contain any building, fence or erection or lumber or other combustible material which may be a source of danger from fire to the adjacent property, it shall be the duty of the Building Inspector to notify the owner, agent or other person having charge thereof, to remove such building, fence, erection or lumber, or other combustible material, and such owner, agent or other person shall immediately remove the same, and if he shall fail to do so within two days after receiving such notice, the Building Inspector may, with the consent of the Market, Police and Jail Committee or of the Mayor to his doing so, remove such building, fence, erection or lumber or other combustible material, and the expense of such removal may be charged against and recovered from the owner of such building, fence, erection or yard.

*Firemen to Report.*

Firemen to report to Building Inspector any violation of By-law.

25. It shall be the duty of the members of the City Fire Department to report to the Chief Engineer of that Department, who shall, without delay, report to the Building Inspector, the existence and location of anything which may

be a source of danger from fire, and which should be discontinued or removed in order to place the building or premises where it is situate in a safe condition as regards danger from fire, and also to report in the same manner any other violation of this By-law which may come under their notice, and it shall be the duty of the Building inspector to make an entry of every such report in a book to be kept by him for that purpose and to take immediate action thereon.

**BY-LAW 41.***Building Materials in Streets.*

**26.** No person shall deposit or place in any public street, lane or alley in the city any material to be used in the erection of any new building, or the repair or alteration of any old building, at a cost of over \$100, until a plan and description in accordance with the requirements of section 5 of this By-law have been deposited with the Building Inspector, and such person has obtained from the Inspector a permit in writing in the form appended to this By-law for the placing of such material in such street, lane or alley, and in all cases where such plan and description have been so deposited, and it is necessary to use any portion of such public street, lane or alley, for the placing of such material, the Building Inspector shall give a permit in the form appended to this By-law.

Building Materials, deposit of in Streets, etc.

Building Inspector to give permit for.

**27.** No person shall, either personally or through any one acting for him or with his authority, deposit or place any building material in or upon any public street, lane or alley within the limits of the city, except for the purpose of building or repairing, and in every case such building material shall be so placed as not to obstruct the surface drainage of such public street, lane or alley, or the free use of any public hydrants, or to occupy more than is necessary of such public street, lane or alley, and in no case more than one-third the width thereof in that portion of the city bounded by Catharine, Hunter, Bay and Cannon streets, and in that part of King street between Catharine and Wellington streets, or more than one-half thereof in any other part of the city, the space so occupied not to extend along such street, lane or alley, further than the frontage or depth of the lot so being built upon, except that it may extend in front of the lot on either side, so long as the occupant of such adjoining lot may consent thereto; provided always that if the owner or tenant of the real estate on the opposite side of the street, lane or alley shall require at the same time to use any portion of the street, lane or alley for the deposit of building material, then, in such case each party shall be restricted to the use of one-fourth of such street, lane or alley, instead of one-third, as aforesaid, in that portion of the city bounded by Catharine, Hunter, Bay and Cannon streets, and in that part of King street between Catharine and Wellington streets, and to the use of one-third of such

Deposit of Building Material on streets, lanes, etc.

Not more than  $\frac{1}{2}$  of width of street or lane to be occupied in district bounded by Catharine, Hunter, Bay and Cannon Streets, and on King Street, from Catharine to Wellington Street.

Not more than  $\frac{1}{2}$  the width of streets, etc., elsewhere.

Persons on opposite side of street requiring at same time to occupy street.

**BY-LAW 41.**

Alleys to be kept open.

Building Material not to remain on street longer than necessary.

street instead of one-half thereof in any other part of the city, but every lane or alley must be kept open for traffic to a width of not less than eight feet, and such material shall not in any case be allowed to remain in any public street, lane or alley, for any longer time than may be reasonably necessary for the completion of the work for which such building material is being used. Nothing in this By-law contained shall be construed to interfere with the rights and privileges granted to the Hamilton Street Railway Company, the Hamilton and Dundas Street Railway Company, or the Hamilton, Grimsby and Beamsville Electric Railway Company, or any other Company, under and by virtue of any By-laws relating to such Companies.

Fences to be erected around material in central part of City.

Sidewalks to be roofed over.

Walks to be placed outside of fence.

**28.** Every person who shall deposit or place any building material upon any public street for any of the purposes hereinbefore mentioned in that part of the city bounded by Catharine, Hunter, Bay and Cannon streets, or in that part of King street between Catharine and Wellington streets, shall, while any part of the material remains upon such street, enclose and keep enclosed the ground thereby occupied with a close board fence of a uniform height of not less than six feet, the public sidewalk to be left clear in all cases where it is not necessary to occupy it, and to be roofed over, wherever necessary, at a height of not less than eight feet above the level of the sidewalk with two thicknesses of one inch boards, and where it is necessary to occupy the sidewalk with building material, a plank sidewalk three feet wide shall be made by the person depositing the building material, such sidewalk to be made immediately outside of the said fence, and the ground covered thereby shall be reckoned as part of the space which the person depositing the building material is allowed to occupy.

Fences in other parts of City.

Sidewalks outside of enclosure.

**29.** Every person who shall deposit or place any building material upon any public street for any of the purposes hereinbefore mentioned in any part of the City other than that portion thereof bounded by Catharine, Hunter, Bay and Cannon streets, or that part of King street between Catharine and Wellington streets, shall, while any part of the material remains upon such street, enclose and keep enclosed the ground occupied thereby with a board fence at each end of sufficient height and strength to fully protect the public from injury or danger therefrom, and if the public sidewalk shall be enclosed within such fences, he shall make a sidewalk three feet wide immediately outside of said enclosure, and the ground covered by such sidewalk shall be reckoned as part of the space which the person depositing the building material is allowed to occupy.

Fences, Roofs and Sidewalks to be removed.

**30.** The fence, roof and sidewalk mentioned in the preceding paragraphs of this section shall be removed by the person, by or for whom they were erected as soon as the building material enclosed thereby has been used or



removed, and he shall also thereupon put the street and sidewalk where such material has been deposited in as good repair as it was before such material was placed thereon.

**BY-LAW 41.**

Street and Sidewalk to be put in good repair.

*Red Lights.*

**31.** Whenever any person, whether contractor or proprietor, shall be engaged in the erection or repairing of any building or other structure whatever within the City, and shall cause or permit any building material to be placed on any public street, lane or alley in the City, and whenever any person shall be engaged in constructing any sewer or laying any gas, water or other pipes or conductors, in or through any of the streets, lanes, alleys, highways, sidewalks or other public places in the City where persons pass and repass, whether by appointment of the City, or its agents, or as contractors, or otherwise, it shall be the duty of all such persons to protect the public from injury therefrom, by placing a sufficient number of red lights upon such materials, rubbish, goods, wares and merchandise, heaps, piles, excavations or any other thing so caused or permitted by them to be or remain in or at any of the places above mentioned, and in such manner as to enable the same to be distinctly seen by all passers-by and to continue such lights from dusk till daylight, during every night in which any such obstructions are allowed to remain in or at such place, and if such materials or obstructions are enclosed by a fence, such lights shall be put on or above the fence, and no person shall, without the consent of the person placing such lights, put out, remove or obstruct the same, or any of them, between dusk and daylight.

Red Lights.

**32.** No person shall allow building material of any kind under his control to remain in any public street, lane or alley after dark without being closely piled, and being also sufficiently lighted in the manner hereinbefore required, or to remain more than twenty-four hours in any public street, lane or alley without being properly enclosed by a fence in the manner hereinbefore required, or to remain in any public street, lane or alley, in any other manner or for any other purpose, or for any longer time than is permitted by this By-law, nor shall any person put any fence or obstruction or allow any fence or obstruction under his control to remain in any public street, lane or alley, in any other manner or for any other purpose, or for any longer time than is permitted by the provisions of this By-law.

Building Material to be closely piled and not to remain longer than 24 hours without being fenced in.

*Conductor Pipes.*

**33.** No owner or occupant of any property in the City shall discharge upon or over any public sidewalk or pavement in said City the water from any roof, eavetrough, conductor pipe, or other pipe or drain carrying water from any building on such property or from or

Conductor Pipes not to discharge over Sidewalks.

**BY-LAW 41.**

across any portion of the land, nor shall any owner or occupant of any property permit the water which flows from any such roof, eavetrough, pipe or drain to be discharged upon or to flow over the public sidewalk or pavement.

Conductor pipes to be connected with the sewer.

**34.** No owner or occupant of any building shall place or construct, or authorize the placing or construction of any eavetrough, conductor, water pipe or gutter pipe so as to permit or cause the water from the roof of such building to escape upon, flow over or run across or upon any public sidewalk, and the owners of buildings hereafter erected or rebuilt shall connect all conductors or gutter pipes upon that part of the building abutting upon any street with the sewer upon such street, if any there be, and whenever the pavement upon any street, not being a wooden sidewalk, is being constructed or reconstructed, the owners of all buildings abutting upon the street shall connect with the sewer, if any, upon such street every conductor, water pipe or gutter pipe, the water from which would otherwise flow over or upon such pavement.

*Porches, Bay Windows and Steps.*

Porches, Bay Windows and Steps not to encroach on sidewalk.

**35.** No porch, or bay window, or steps, or other structure shall encroach upon or extend over the line of any street or alleyway.

*Snow on Roofs.*

Snow to be cleared off roofs.

Snow may be evenly spread on streets.

**36.** Every owner or occupant of a building which adjoins or is near to a public street or alleyway shall in all cases where the roof or part of the roof slopes towards such public street or alleyway, or where there is danger of snow or ice falling into the street or alleyway from the roof of such building or of any verandah or porch attached thereto, place a sufficient barrier upon or near the edge of such roof to prevent the snow or ice from falling into the street or alleyway, or shall remove all snow or ice from the roof of such building, verandah or porch so as to prevent the same from sliding down or falling into such street or alleyway, and if such snow or ice shall fall or be thrown down upon any street or alleyway, it shall forthwith be removed therefrom by such owner or occupant, but where there is room in the street for that purpose it may be evenly spread by him outside the pavement, sidewalk or pathway, so as not to impede public travel or block up the water channel in the street.

Private Drains.

*Private Drains.*

Persons building private drains to deposit plan with Building Inspector.

**37.** Before proceeding to construct, reconstruct, or alter any portion of a private drain or sewer leading into any public sewer in or from any building or premises in the City, the owner or his agent desiring to construct the same shall file in the office of the Building Inspector

a plan of such work contemplated, giving the size of all pipes, traps and fittings, together with the number of closets and baths, and the street and number marked thereon, and showing the drainage system underground.

**BY-LAW 41.**

(1) All plans must be legibly drawn in ink on heavy white paper or on tracing linen, and must be drawn on a scale of four feet to one inch.

Plans to be drawn in ink, etc.

(2) No permit shall be granted under sub-section I of section I of By-law No. 30 to construct such drain or sewer unless the Building Inspector has certified that he has approved of the plan and specification thereof filed in his office.

Permit not to be granted until plan is approved.

(3) After a plan or specification has once been approved, no alteration or deviation from the same shall be approved, except on a written application of the owner or agent of the owner, and with the approval of the Building Inspector, and such alterations must be so entered on the plan registered.

Plan not to be altered without approval of Inspector.

**38.** Before any part of a private drain or sewer laid or constructed in or from any building or buildings in the City shall be covered up, or enclosed, or hidden from view, it shall be the duty of the drain layer, or other person having charge of the laying or construction of such drain or sewer, to give notice in writing to the Building Inspector, or at his office, that such drain or sewer is ready for inspection by him, and the Building Inspector shall thereupon without delay, inspect the same, and it shall be unlawful for any drain layer or other person to cover up, or enclose, or hide from view any part of such drain or sewer until the Building Inspector has approved of the same, except in cases where from the presence of quicksand or from the nature of the soil it is impossible to keep the drain or sewer open for inspection.

Drains not to be covered until inspected.

(1) No brick or wooden drain shall be allowed within any building, but all drains within any building shall be of heavy cast iron pipe or of salt-glazed vitrified sewer pipe. Cast iron pipe when used within any building shall be oil finished inside and outside, with joints caulked with oakum and molten lead. All cast iron pipe when laid beneath the surface within any building, shall be not less than one-third of an inch thick. Vitrified sewer pipes when laid within any building shall be of the make known as *double strength*, and shall be of a thickness of not less than one-tenth the diameter of the pipe; the flange shall be not less than one and three-quarter inches deep; all flanges shall be carefully filled with the best Portland cement. The upper surface of any sewer pipe shall be not less than four inches below the foundation of any wall under which it passes.

Brick or wooden drains not allowed inside of buildings

Cast Iron pipe.

Vitrified sewer pipes to be *double strength*.

**BY-LAW 41.**

Water test of drains.

(2) The Inspector shall require a water test of all private drains to the limit of the street, which test shall be made by and at the expense of the owner of the premises where the drains are constructed. If the work is not found satisfactory after being tested, two days notice shall be given to perfect the same, and if the work is not made satisfactory within that time the penalty prescribed by By-law No. 68 may be enforced forthwith.

Result of inspection to be recorded.

(3) The result of every inspection shall be recorded on the plan registered in the office of the Building Inspector, together with the date of such inspection, and such record shall be open to the public during office hours.

Each house or building to have separate soil pipe and drain.

(4) Each house or building must have its own separate soil pipe and drain, and such soil pipe and drain shall be so placed as to enable it to be inspected without destruction to walls; and the plumber shall be responsible for the proper connection of his work with the system of drainage, which connection shall be made by a cast iron bend and three feet of pipe extending horizontally from the vertical soil pipe, and no two or more houses or buildings shall have any drain in common until each separate drain shall have passed outside the walls of the house or building which it serves.

Two buildings flush with street line to connect with Y junction.

(5) Where buildings are constructed flush with the line of the street, two buildings may be connected with one six-inch pipe, or larger street drain with a Y junction, placed immediately in front of the wall.

Drains from street line to sewer to be built first.

(6) All drains beyond the street line must be properly connected with the private drain leading into the public sewer and not covered until inspected, and in no case shall the drains between the walls of the house and the street line be laid until the private drain from the street line to the public sewer shall have first been laid and completed.

Drains out of repair or not properly trapped or ventilated.

39. If on examination of any private drain or sewer it is found that the same is out of repair, or is not properly trapped or ventilated, or is in a condition that is likely to be dangerous to health, the Building Inspector shall give notice in writing to that effect to the owner of the premises with which such drain or sewer is connected, and if for thirty days after receipt of such notice such owner shall have refused or neglected to make all proper repairs or alterations, he shall be liable to the penalty imposed by By-law No. 68, and such penalty may be imposed for every day after the expiration of thirty days that such refusal or neglect shall continue.

Penalty.

No permit to be given until agreement with City is executed.

40. No permit shall be granted under subsection (1) of section I of By-law No. 30 of this City, to construct a drain or sewer into any of the common sewers of the City,



BY-LAW 41.

unless the owner of the property, for the benefit whereof such permit is applied for, shall first sign an agreement with the City Corporation, in the form appended to this By-law, undertaking to be responsible for all damages which may be caused by the negligence of such owner, or of any contractor or workman employed by him with regard to the excavation of the street for the purpose applied for and to indemnify the City against all claims, costs and expenses in respect thereof, and also agreeing to restore the street to as good a state of repair as it was in before such excavation was made, and to the satisfaction of the City Engineer, and to pay to the City Corporation any expense they may be put to in filling up, restoring or making good such street to the satisfaction of the City Engineer, whether such work be done by the City Corporation immediately, or become afterwards necessary by reason of the want of proper packing or pounding in the filling up of the excavation, or by reason of any defect in the construction of the drain or sewer, and also to hold the City Corporation harmless from all claims for any damages which may arise, or be caused through such connection with the sewer, from back water, in consequence of the gorging of any sewer by excessive rain or by flood waters.

FORM OF PERMIT UNDER SECTION 26 OF THE  
FOREGOING BY-LAW.

BUILDING INSPECTOR'S OFFICE.

Permit for deposit  
of Building ma-  
terial

PERMIT FOR DEPOSIT OF BUILDING MATERIAL.

No. .... Hamilton, ..... I

Permission is hereby granted to.....  
to occupy such portion of the street as may be necessary for  
the deposit of building material to be used in the erection  
or repair of a building on.....on the.....side of  
street, such material to be deposited under and subject to  
the regulations contained in this By-law.

.....  
*Building Inspector.*

FORM OF AGREEMENT AND PERMIT UNDER SECTION  
40 OF THE FOREGOING BY-LAW.

Agreement.

.....being the owner of.....  
.....  
on the.....side of.....Street, in the City of

**BY-LAW 41.** Hamilton, hereby request permission from the City Engineer to construct a drain or sewer into the common sewer of the City on.....Street, the drain or sewer for which such permit is applied for to be laid by.....and.....hereby agree with the Corporation of the City of Hamilton to be responsible for all damages which may be caused by.....negligence or the negligence of any contractor or workman with regard to the excavation of the street for the purpose of constructing such drain or sewer, and to indemnify the City Corporation against all claims, costs and expenses in respect thereof, and also agree to restore the street to as good a state of repair as it was in before any excavation for such drain or sewer was made, and to the satisfaction of the City Engineer, and to pay to the City Corporation any expense they may be put to in filling up, restoring or making good such street to the satisfaction of the City Engineer, whether such work shall be done by the City Corporation immediately or shall become afterwards necessary by reason of the want of proper packing or pounding in the filling up of the excavation or any defect in the construction of the drain or sewer. In consideration of being allowed to connect the premises aforesaid with the above mentioned main sewer on.....Street, ....hereby agree to hold the City Corporation harmless from all claims for any damages which may arise or be caused through such connection with the sewer, from backwater, in consequence of the gorging of any sewer by excessive rain or by flood waters.

Owner to be responsible for all damages, costs etc.

Streets to be restored to satisfaction of City Engineer.

In default the City may do the work.

City to be held harmless from claims for flooding of premises.

PERMIT FOR CONSTRUCTION OF DRAIN.

CITY ENGINEER'S OFFICE.

No.... Hamilton,.....I

Permit to construct drain.

Permission is hereby granted to....., owner of .....on the.....side of.....Street, to construct a drain or sewer from said property to connect with the common sewer of the city on.....Street, such drain or sewer to be laid by.....

.....  
*City Engineer.*

BY-LAW No. 42.

BY-LAW 42.

*On Licenses.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. It shall not be lawful for any person, for hire or gain, directly or indirectly, to keep or have in his possession, or on his premises, any Billiard Table, or to keep or have a Billiard Table in any house or place of public entertainment or resort in the City, without having first obtained a license therefor under this By-law.

Billiard Tables to be licensed.

2. It shall not be lawful for any person to keep or hold in the City any exhibition of Wax Work, Menagerie, Circus Riding, or other such like show, usually exhibited by showmen, without a license under this By-law.

Exhibitions of Wax Works, Menageries and Circus Riding to be licensed.

3. It shall and may be lawful for the Police Magistrate or Justice of the Peace of the said City, before whom any person may be convicted for infringing the last preceding section, to issue a warrant to levy the amount of fine imposed for such infringement by distress and sale of the goods and chattels of such showman, or belonging to, or used in, such exhibition, whether owned by such showman or not, and in case the fine be not paid, and no goods and chattels be found sufficient to satisfy the same, then to commit the offender to the common jail of the City of Hamilton for a period not exceeding one month.

Collection of Fines imposed on Showmen.

4. It shall not be lawful for any person to hold or keep for hire or profit in the said City any roller skating rink or other place of like amusement, or any ball alley or any exhibition or other place of amusement not specified in section 2 of this By-law without having first obtained a license therefor in the manner hereinafter provided.

Roller Rinks, Ball Alleys and places of amusement to be licensed.

5. It shall not be lawful for any Auctioneer or other person to sell or put up for sale in the said City any goods, wares, merchandise or effects, by Public Auction, without having first obtained a license under this By-law, but nothing herein contained shall apply to or effect a bailiff offering for sale goods or chattels seized as a distress for rent.

Auctioneers to be licensed.

Exceptions.

6. No Auctioneer's License shall be transferable, nor shall any person, except the person named in the license sell thereunder.

Auctioneers' License not transferable.

No person other than one named in License to sell.

**BY-LAW 42.**

Ball Alleys and  
Billiard Rooms to  
close at 11 p. m.

7. It shall not be lawful for any person to keep his Ball Alley or Billiard Room open after the hour of 11 o'clock at night nor before the hour of 6 o'clock in the morning.

Licenses to be for  
one year unless  
otherwise speci-  
fied.

8. All licenses issued under this By-law shall be in force for one year from date of issue, except where otherwise specified. *June 1 to June 30*

City Clerk to issue  
Licenses.

9. The City Clerk shall issue all licenses in accordance with the terms of this By-law.

City Treasurer to  
countersign  
Licenses.

10. It shall be the duty of the City Clerk to issue all licenses specified in this By-law and on receiving the amount fixed to be paid therefor, the Treasurer of the said City shall countersign the license. No license shall be valid unless so countersigned.

11. The sums hereinafter respectively mentioned shall be paid to the City Treasurer for each license issued under this By-law.

License Fees.

For Roller Skating Rink .....	\$ 1 00
For the 1st Billiard Table .....	30 00
For the 2nd Billiard Table.....	20 00
For each additional Billiard Table.....	10 00
For Ball Alley .....	30 00
For every Circus, per day.....	75 00
For every travelling Menagerie, per day.....	25 00
For every Circus and Menagerie, combined, per day.....	100 00
For every other exhibition or place of amusement held or kept for hire or profit for each day...	2 00
And for six days, per day.....	1 00
For Auctioneer.....	40 00

12. Any person infringing section 2 of this By-law, or holding or keeping for hire or profit without a license under this By-law, a roller rink or other place of like amusement, shall for each offence be liable to a penalty not exceeding the amount of the license fee payable by him hereunder, and any person guilty of any other offence under this By-law shall be liable to the penalty imposed by By-law No: 68.



## BY-LAW No. 43.

## BY-LAW 43.

*To impose a Tax on Dogs and Bitches and to restrain and regulate their running at large within the City of Hamilton.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Dogs.

1. Every owner of a Dog or Bitch in the City shall, on or before the first day of July in each year, cause the same to be registered, numbered, described and licensed for one year from that date in the office of the City Treasurer, and shall also cause the dog or bitch to wear around his or her neck, a collar bearing the name of the owner, to which collar shall be attached a metallic plate having raised or cast thereon the letters C. T. P. (City Tax Paid) and figures indicating the year for which the said tax has been paid, together with a number corresponding with the number under which the same is registered in the books of the City Treasurer, and every such owner shall pay for such license and metallic plate the sum of \$1.00 for a Dog, and the sum of \$2.00 for a Bitch in each year, together with the sum of 25 cents additional for each registration.

Dogs to be registered on or before 1st. July.

License Fee.

2. Every person in possession of any Dog or Bitch or who shall permit any Dog or Bitch to remain about his house or premises, shall be deemed the owner of such Dog or Bitch for all the purposes of this By-law.

Persons permitting dog to remain about premises to be deemed the owner.

3. No person shall permit his Dog or Bitch to run at large within the said City without the collar and metallic plate mentioned in Section 1 of this By-law.

Tags to be worn.

4. Any Dog or Bitch found running at large contrary to this By-law may be captured, killed or otherwise disposed of by the person duly authorized by this Council.

Dogs running at large may be captured.

5. For the impounding of all Dogs and Bitches captured under the provisions of this By-law, a place to be called the Dog Pound shall be established by this Council, and a keeper thereof appointed, to be called the Dog Pound-keeper, whose duty shall be to impound all Dogs or Bitches brought to him found running at large contrary to this By-law, and to dispose of the same as hereinafter provided. He shall also keep a record of all Dogs and Bitches impounded and how disposed of, and make monthly returns to the Council showing the number impounded, how disposed of, and amount of money collected, as well from fines as from proceeds of sales.

Dog Pound.

Pound Keeper to impound Dogs found running at large contrary to law.

**BY-LAW 43.**

Capture of Dogs found running at large.

Right of Owner to redeem within 48 hours on payment of fine.

Dogs may be sold or destroyed.

6. It shall be the duty of the person appointed for that purpose to capture all Dogs or Bitches found running at large contrary to this By-law, and take them to the Dog Pound, where they shall be kept confined, subject to the right of the owner to redeem the same within forty-eight hours from the time of impounding, by paying for the use of this Corporation a fine of \$2.00 for each Dog, and \$3.00 for each Bitch, and if the same are not redeemed within forty-eight hours as aforesaid, they may be sold by the Pound-keeper to any person upon payment of a sum not less than \$2.00 each for the use of this Corporation but in the event of no sale within sixty hours from the time of impounding, then every such Dog or Bitch shall be destroyed by the Pound-keeper.

Fee for impounding.

7. For every Dog or Bitch found running at large contrary to this By-law and brought to the Pound, the City Treasurer shall, after the expiration of two days from the time of impounding, pay to the person bringing the same, the sum of 25 cents, on production of a ticket signed by the Pound-keeper, stating the name of the person to be paid, provided the owner shall not within the said two days produce satisfactory evidence of his having complied with the provisions of this By-law.

Loss of Tag,

8. If any Dog or Bitch shall be impounded under this By-law, and the owner thereof shall, within two days from the time of impounding, produce satisfactory evidence that he had complied with the provisions of section 1 of this By-law with respect to such Dog or Bitch, and that the collar and plate therein referred to had been lost or stolen, such owner shall be entitled to possession of the Dog or Bitch upon proving property.

Persons unlawfully removing tags, guilty of an offence.

9. Any person unlawfully removing any collar or plate from any licensed Dog or Bitch, shall be deemed to be guilty of an offence against this By-law.

Notice to be given by Pound Keeper,

10. The Pound-keeper shall keep posted up in at least fifty public places within the City, notices warning persons of the provisions of this By-law.

City Treasurer to keep record of dogs registered.

11. It shall be the duty of the City Treasurer to keep a book in which shall be recorded the name of the owner of every Dog or Bitch registered, the date of registration, the description of the Dog or Bitch, and the number and the amount of tax paid.

Pound Keeper to make weekly returns to City Treasurer.

12. It shall be the duty of the Pound-keeper to make a weekly return to the City Treasurer of all monies collected by him, with a statement showing by whom paid.

Pound Keeper to feed and water Dogs impounded.

13. It shall be the duty of the Pound-keeper to feed and supply with water all Dogs and Bitches after they have been impounded over six hours.

**14.** No Dog or Bitch shall be permitted by the owner to run at large within the City, unless securely muzzled, during such periods as the Mayor may, by proclamation issued under the authority of the Council, from time to time prescribe, and any Dog or Bitch found running at large during any such period and not securely muzzled may be impounded and disposed of in the manner hereinbefore provided.

**BY-LAW 44.**

Dogs to be muzzled during the periods prescribed by proclamation of the Mayor.

**15.** Any person guilty of a breach of any provisions of this By-law shall be liable to the penalty imposed by By-law No. 68.

Penalty.

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## BY-LAW No. 44,

*Relating to Pound.*

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**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

**1.** The City Council shall, from time to time, appoint a Pound-keeper, who shall hold office during the pleasure of the Council, and who shall, before he enters upon the duties of his office, give a bond to the City Corporation with two sufficient sureties, in a penalty of \$80 each, conditioned that he will well and truly discharge the duties of his office, and pay to the City Treasurer all monies which shall come into his hands as Pound-Keeper, and that he will, in every case where a person may sustain damage by any unlawful exercise of his duties as Pound-keeper, pay to such person the amount of damages he may recover in any Court of competent jurisdiction.

Pound Keeper.

Security.

**2.** It shall not be lawful for any person to allow his horse, mare, gelding, bull, ox, cow, heifer, steer, calf, goat, mule, ass, sheep, pig, lamb, geese, ducks, or any poultry to run at large within the City, nor shall it be lawful for any such animal to be pastured upon any street in the City, and when any such animal is being driven from one point in the City to any other point therein, or to a point outside of the City, it shall not be lawful, to allow any such animal to loiter upon any street in said City, but such animal shall, without being allowed to stop, be driven or led along the streets of the City, but not on any sidewalk or boulevard thereof. It shall be the duty of the persons appointed by the City Council for that purpose, to cause all animals found running at large in the City, or loitering or being pastured upon the streets thereof, contrary to the provisions of this or of any other By-law

Animals, Geese and Poultry not to run at large.

Pasturing on streets forbidden.

Animals running at large may be impounded.

**BY-LAW 44.** to be impounded, and to prosecute all persons offending against any provision of such By-laws.

Pound-keeper to impound animals or poultry trespassing on any person's lands enclosed by lawful fence.

Fees to be paid for release of animals or poultry impounded.

Pound-keeper to pay over to City Treasurer monthly.

Fees to be paid by Treasurer to persons impounding.

Any person may drive animals or poultry to pound.

Pound-keeper to feed animals or poultry impounded.

Fees for feeding.

Written Statement of amount claimed for damages.

Arbitration as to damages.

3. It shall and may be lawful for the Pound-keeper, and he is hereby required to impound any of the animals mentioned in the preceding section, or any poultry that shall be found trespassing on any person's land enclosed by a lawful fence, or any of such, animals that may be found running at large within said City, contrary to this By-law, and to detain the same until the owner thereof shall have paid him (over and above all other fees and expenses by this By-law required to be paid, and the claim and damages for trespass, if any), the following fees, viz : for every horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule, or pig, \$1.00; for every sheep, lamb, ass or goat, 10 cents; for poultry, 5 cents each, and for geese, 25 cents each.

(1) All sums of money received by the said Pound-keeper, by virtue of his office, shall be by him accounted for and paid over to the City Treasurer monthly.

(2) The City Treasurer is hereby required to pay the sum of 50 cents for every horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule or pig, and 25 cents for every goose or goat, impounded, to the person bringing the same to the pound, on receiving a ticket signed by the Pound-keeper, stating the name of the person to be paid, and that he has been authorized by him to perform such service.

4. It shall and may be lawful for any person to drive to the pound any of the animals, geese or poultry mentioned in section two, found trespassing or any such found running at large contrary to this By-law.

5. Whenever any geese, poultry or animals named in section two shall be impounded under this By-law, it shall be the duty of the pound-keeper, and he is hereby required, to feed them (but not till they have been impounded twelve hours) and for so doing he shall be entitled to the following fees for each day, over and above his fees as Pound keeper: For every horse, mare, gelding, bull, ox, cow, heifer, steer, calf or mule, twenty cents; for every sheep, lamb, goat, ass or pig, ten cents; poultry and geese, five cents each.

6. The person distraining or impounding any animal, geese or poultry, shall, at the time, or within twenty-four hours thereafter, deliver to the Pound-keeper a written statement, in duplicate, of the amount claimed for damages, if any.

7. If any owner, within forty-eight hours after the delivery of the statement referred to in the preceding section, disputes the amount of damage claimed, the amount shall be



BY-LAW 44.

determined by three disinterested freeholders, resident within the said City, one to be named by the owner of the animal, one by the person distraining or claiming damages, and one by the Pound-keeper. The arbitrators thus appointed, or any two of them, shall within twenty-four hours after receiving notice of appointment, view the fence and the ground upon which the animal, geese or poultry was found doing damage and determine whether or not the fence was a lawful one at the time of the trespass, and if it was, to appraise the damage committed, and within twenty-four hours after having made the view, deliver to the Pound-keeper a written statement signed by a majority of them stating that the fence was unlawful or lawful, and if the latter, the amount of damage committed. The arbitrators shall be entitled to the sum of fifty cents each for their trouble and attendance.

8. It shall and may be lawful for the Pound-keeper, after the expiration of four clear days from the time of impounding the same, to sell any pig, geese or poultry, and after the expiration of nine clear days, from the time of impounding the same, to sell any horse, cattle or other animal at the Central Market on James Street, for the best price that can be obtained therefor, after having given three days public written or printed notice, containing a full description of the animal to be sold, also specifying the place and time of sale by posting such notice in a conspicuous manner at the Police office, Pound and Central Market aforesaid; and where the animal, except a pig, to be sold is over the value of \$10 then such notice shall be posted as aforesaid, and also advertised in the daily papers five clear days before the sale; the proceeds of any such sale shall be applied in discharging the fees herein required to be paid, the costs of advertisement and damages, if any, not exceeding \$20, the surplus, if any, to be paid to the owner, and if not claimed within three months, then to the City Treasurer for the use of the City: provided always that no such sale shall be lawful unless the Pound-keeper shall have first made oath before a Justice of the Peace that the notices were duly affixed and published in the manner herein prescribed.

Pound Keeper after expiration of 4 clear days may sell any Pig, Geese or Poultry.

After expiration of 9 clear days may sell any horse cattle or other animal.

Notice of sale to be given.

9. Whenever the Pound-keeper shall be obliged to discharge the duties mentioned in sections 7 and 8, he shall be entitled to the following fees, in addition to the fees already allowed him, viz:—for each notice, 10 cents; for summoning appraiser, 25 cents; for each sale, 25 cents; for each affidavit, 20 cents.

Pound Keepers fees under sections 7 and 8.

10. It shall and may be lawful for the owner of any animal, geese or poultry, impounded under this By-law, to lodge a complaint before the Mayor, Police Magistrate or any Alderman, against the Pound-keeper for any injustice which such person may deem to have been done to him regarding the feeding or any unlawful charges made by the said Pound-keeper, and should such complaint be proved to

Persons may lodge complaint against Pound Keeper.

**BY-LAW 45.** the satisfaction of the said Mayor, Police Magistrate or Alderman, it shall be lawful for him or them to fine the said Pound-keeper a sum of money, not exceeding \$20 for each such offence.

Pound.

**11.** The stable yard of the Patrol Station on the south side of Napier street, between Bay and Caroline streets, and any sheds or stalls there may be from time to time therein, shall be the Pound for the safe keeping of such animals, geese or poultry as it may be the duty of the Pound-keeper to impound in the City of Hamilton.

Pound Keeper.

**12.** John Brick is hereby continued in the office of Pound-keeper of the said City.

## BY-LAW No. 45.

### *On Public Morals.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

Indecent or immoral writing.

Indecent exposure

**1.** No person shall write any indecent or immoral words, or make any indecent or immoral figure or representation on any wall, board fence, or any other thing, in any place open to public view or of common resort, or indecently expose himself, or his person, or be drunk or make use of profane or obscene language, or commit any other species of immorality or indecency in the streets or other places.

Chief of Police to remove indecent placards, &c.

(1) The Chief of Police is hereby authorized and required to cause to be removed any indecent placard, writing or picture posted or exposed to view in any public place.

Charivaris prohibited. Cruelty to animals. Fireworks not to be set off.

**2.** No person shall engage in a charivari or other like disturbance of the peace, or excessively beat or cruelly treat any animal, or fire or set off any fireball, squib, cracker or fireworks within the city.

Bathing regulations.

**3.** No person shall, within the City limits, bathe in the bay or other public waters, or in any place where such person would be open to observation, without wearing a sufficient bathing dress or suit covering the body from the neck to the knees, but in the case of boys under fourteen years of age, bathing trunks shall be deemed a sufficient covering.

(1) No person shall bathe upon or near the south shore of the bay between the west side of Macnab street and the east side of John street at any time between 7 o'clock in the morning and 8 o'clock in the evening.

**BY-LAW 45.**

Bathing between Macnab and John Sts. prohibited from 7 a. m. to 8 p. m.

4. No person shall inter any corpse in any cemetery or other place in the City except in vaults or graves, at least five feet deep, and without removing, disturbing or exposing any other body or coffin.

Interments.

(1) No person shall dig or open any grave, or cause or procure any grave to be dug or opened, or inter or deposit in any grave in the City any dead body, except in the Hamilton Cemetery.

Dead bodies not to be buried except at Hamilton Cemetery.

5. No person shall keep, inhabit or frequent any house of ill-fame in the said City.

Houses of ill-fame.

6. All common prostitutes or night-walkers, wandering in the streets and highways of the City, not giving a satisfactory account of themselves, shall be deemed vagrants, vagabonds and disorderly persons.

Vagabonds and disorderly persons

7. All persons openly exhibiting or exposing in any street or public place in the City any indecent exhibition; and all persons wandering abroad or placing themselves in streets, public places, highways, courts or passages of the City, to beg or gather alms, or causing or procuring or encouraging any child to do so, or endeavoring, by the exposure of wounds or deformities to effect the same purpose, and all persons who shall be apprehended in any dwelling house, warehouse, coach house, stable or outhouse, or area, or in any enclosed yard, garden or place within the City, and shall not be able to give a satisfactory account of themselves, and all persons imposing or endeavoring to impose upon any person or charitable institution, by any false or fraudulent representation, either verbally or in writing, for the purpose of obtaining money or some other advantage or benefit, shall be deemed vagrants, mendicants or beggars.

Vagrants, mendicants or beggars.

Who to be deemed.

8. No person shall keep a Gambling House in the City, and it shall and may be lawful for the Police of the said City, to enter into any Gambling House and seize and destroy faro banks, rouge et noir, roulette tables, and other devices for gambling found therein.

No person to keep gambling house.

Police may seize gambling devices.

9. It shall and may be lawful for any policeman, without a warrant, to arrest any vagrant, drunken or disorderly person or any mendicant or beggar, and bring him before the Mayor, Police Magistrate or a Justice of the Peace of the said City, or to the nearest Police Station, and there to keep such person until he can be brought before the Mayor or Police Magistrate or a Justice of the Peace

Arrests of vagrants or disorderly persons.

**BY-LAW 46.**

Penalty.

10. Every person guilty of an offence against this By-law or being a vagrant, vagabond or disorderly person, or a mendicant or beggar within the meaning thereof, shall be liable to the penalty imposed by By-law No. 68.

Drunken persons may be released by officer if 1st or 2nd offence.

11. The Chief Constable or the Inspector in charge of any police Station to which any person is brought on the charge of being drunk, without being disorderly, may in any case where it is, so far as known to said Officer, a first or second arrest for such offence, release such person without bringing him before a Justice of the Peace or the Police Magistrate.

**BY-LAW No. 46.**

*Respecting the Public Health and for Regulating and Licensing Milk Vendors.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows:

Medical Health officer, duties of

Board of school Trustees may require his services.

Annual Reports.

Supply of Vaccine to be kept on hand

1. It shall be the duty of the Medical Health Officer to assist and advise the Board and its officers, in matters relating to public health, and to superintend, under the direction of the Board, the enforcement and observance, within this municipality, of Health By-laws or Regulations, and of Public Health Acts, and of any other Sanitary Laws, and, if thought advisable by the Board of School Trustees, to act as Medical Inspector of Schools, as well as advisory officer in matters pertaining to school hygiene, and to perform such other duties and lawful acts for the preservation of the public health, as may, in his opinion, be necessary, or as may be required by the Board of Health. He shall also present to the Board of Health, before the fifteenth day of November in each year, a full report upon the sanitary condition of the district. He shall keep on hand at all times, a sufficient supply of genuine vaccine matter, and see that all persons, so far as he may have it in his power, are properly vaccinated, especially those in the vicinity of any person attacked by Small-Pox

Sanitary Inspectors, duties of.

2. The Sanitary Inspectors, besides performing the duties hereafter indicated by this By-law as belonging specially to them, shall assist the Medical Health Officer, and perform such other duties as may from time to time be assigned to them by the Board of Health or its Chairman.



3. The Chairman of the Board of Health shall, before the first day of December in each year, present to the City Council a report containing a detailed statement of the work of the Board during the year, and the report of the sanitary condition of the Municipality, as rendered to the Board by the Medical Health Officer. A copy of each such report shall be transmitted by the Secretary to the Secretary of the Provincial Board of Health.

**BY-LAW 46.**

Chairman of Board to report to City Council before 1st. December  
Secretary of Board to transmit report to Secretary of Provincial Board.

4. No person shall, within this Municipality, suffer the accumulation upon his premises, or deposit, or permit the deposit, upon any lot belonging to him, of anything which may endanger the public health, or deposit upon, on or into, any street, square, lane, by-way, wharf, dock, slip, lake, pond, bank, harbour, river, stream, sewer, or water, any manure or other refuse, or vegetable or animal matter, or other filth.

Accumulation or deposit of refuse matter.

5. It shall be the duty of the Sanitary Inspectors to keep vigilant supervision over all streets, lanes, by-ways, lots or premises, upon which any such accumulation, as aforesaid, may be found, and at once to notify the parties who own or occupy such lots or premises, or who either personally or through their employees, have deposited such manure, refuse matter, dirt or filth, in any street, lane or by-way, to cleanse the same, and to remove what is found thereon; such persons shall forthwith remove the same, and if the same be not removed within twenty-four hours after such notification, the Inspector may prosecute the persons so offending, and he may also cause the same to be removed at the expense of the person or persons so offending. He shall also inspect at intervals, as directed by the Board of Health, all premises occupied by persons residing within its jurisdiction, and shall report to the Board each and every case of violation of any of the provisions of this By-law, or of any other regulations for the preservation of the public health, and shall also report every case of refusal to permit him to make such inspection.

Sanitary Inspectors to keep vigilant supervision over streets, lanes etc.

Inspector to notify persons who deposit refuse to remove same,

Inspector may prosecute for default or for violation of By-law.

6. Whenever it shall appear to the Board or to any of its officers, that it is necessary for the preservation of the public health, or for the abatement of anything dangerous to the public health, or whenever they or he shall have received a notice signed by one or more inhabitant householders of this municipality, stating the condition of any building in the municipality to be so filthy as to be dangerous to the public health, or that upon any premises in the municipality there is any foul or offensive ditch, gutter, drain, privy, cesspool, ashpit, or cellar, kept or constructed so as to be dangerous or injurious to the public health, or that upon any such premises an accumulation of dung, manure, offal, filth, refuse, stagnant water, or other matter, or thing, is kept so as to be dangerous or injurious, as aforesaid, it shall be the duty of the Sanitary Inspector to enter

Board or Inspectors may order the removal of anything dangerous to public health.

**BY-LAW 46.**

Penalty.

such buildings or premises for the purpose of examining the same, and, if necessary, he shall order the removal of such matter or thing as aforesaid. If the occupant or proprietor, or his lawful agent or representative, having charge or control of such premises, after having had twenty-four hours notice from any such officer of the Board of Health to remove or abate such matter or thing, as aforesaid, shall neglect or refuse to remove or abate the same, he shall be subject to the penalties imposed under section 30 of this By-law.

Dwelling houses unfit for occupation, or dangerous to health of occupants.

Occupants may be required to quit premises.

Refusal to comply

Penalty.

7. If the Board is satisfied upon due examination that a cellar, room, tenement, or building within its jurisdiction occupied as a dwelling place, has become by reason of the number of occupants, want of cleanliness, the existence therein of a contagious or infectious disease, or other cause, unfit for such purpose, or that it has become a nuisance, or in any way dangerous to the health of the occupants, or of the public, they may issue a notice in writing to such occupants, or any of them, requiring the said premises to be put in proper sanitary condition, or if they see fit, requiring the occupants to quit the premises within such time as the Board may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice, every person so offending shall be liable to the penalties imposed by section 30 of this By-law, and the Board may cause the premises to be properly cleansed at the expense of the owners or occupants, or may remove the occupants forcibly and close up the premises, and the same shall not again be occupied as a dwelling place until put into proper sanitary condition.

Fraud in sale of milk.

8. It is hereby declared that chapter 252, R. S. O., 1897, intituled, "An Act to prevent Fraud in the Sale of Milk in Cities and Towns," shall, from and after the passing of this By-law, be in force in the City of Hamilton.

Cows, Cowbyres dairies &c. subject to inspection.

Permission required to keep dairies or cheese factories

License to be granted conditional upon milk not being adulterated or contaminated.

9. All milch cows and cow byres, and all dairies or other places in which milk is sold or kept for general use, and all Cheese Factories and Creameries, shall be subject to regular inspection by the Medical Health Officer or Sanitary Inspectors, under the direction of the Local Board of Health of Hamilton, and the proprietors shall be required to obtain permission in writing from the said Board, through the Medical Health Officer, to keep such dairy or other place in which milk is sold or kept as aforesaid, or to keep a Cheese Factory or Creamery, and the same shall not be kept by any one without such permission, which shall be granted after approval of such premises upon inspection, subject to the condition that all such places as aforesaid are so kept and conducted that the milk shall not contain any matter or thing liable to produce disease, either by reason of adulteration, contamination with sewage, absorption of disease

germs, infection of cows, personal uncleanness, or any other recognized cause, and upon such condition being broken the said permission may be revoked by the Board.

**BY-LAW 46.**

**10.** All dairymen and vendors of milk who may sell, supply or offer milk for sale in the City, shall (at least once a year) register with the Medical Health Officer of the City (in a register supplied by the Board of Health for that purpose): (1) their names and addresses; (2) the source or sources of their supplies; (3) the number of cows in their possession; (4) the average quantity of milk disposed of, either (a) to milkshops, (b) milk vendors, (c) or to private customers.

Dairymen and Milk Vendors to Register.

**11.** At such registration a statement shall be made by all such dairymen and vendors of milk, as to the kind of food supplied to their cows, and what proportion, if any, consists of brewery grain, ensilage or oil cake.

Statement to be made as to kind of food used.

**12.** Periodic inspection of all dairies and cow byres shall be carried out under the direction of the Board by its Medical Health Officer or Sanitary Inspectors, in accordance with the spirit and provisions of section 65 of the Public Health Act.

Inspection of dairies and cowbyres.

**13.** Every applicant for a license to engage in the business of dairyman or milk vendor shall, before receiving such license sign an agreement in the form contained in Schedule "A" of this By-law.

Applicants for license, to sign agreement.

**14.** Every dairyman or milk vendor shall immediately notify the Medical Health Officer or a Sanitary Inspector upon making any change or removal of his dairy or cow byre, and in the event of his not doing so shall forfeit his license.

Dairymen or milk Vendors to notify Medical Health Officer of removal

**15.** The Medical Health Officer shall issue a license in the form contained in Schedule "B" appended to this By-law to each dairyman or milk vendor applying therefor, who complies with the terms of this By-law.

Medical Health Officer to issue milk and dairy licenses.

**16.** No milk which has been adulterated, or has been reduced or changed by the addition of water or other substance, or by the removal of cream, nor milk known as swill milk, nor milk from cows or other animals fed upon (a) distillery slop, (b) starch factory by-products, (c) garbage, or other like substance, nor any butter or cheese made from any such milk, shall be brought into, held, kept or offered for sale at any place in the City; but skimmed milk may be sold as such if contained in cans bearing upon their exterior the word "skimmed" placed conspicuously in letters not less than two inches in length and served in measures also similarly marked. No person shall supply skimmed milk unless such quality of milk is asked for by the purchaser.

Adulterated milk, not to be sold.

Skimmed milk.

**BY-LAW 46.**

Number of license  
to be placed on  
waggon.

**17.** Every waggon or vehicle from which milk is sold, and every can or vessel from which it is sold when no vehicle is used, shall have conspicuously placed thereon, upon each side in a figure or figures not less than four inches in length, the number of the owner's license.

Samples of milk to  
be furnished to  
the Inspector.

**18.** All dairymen and vendors of milk, and all persons supplying milk for sale in the City, and all drivers of milk waggons or vehicles, having the milk in their possession at the time, shall furnish the Medical Health Officer or Sanitary Inspectors with such samples of milk as he or they may require from time to time, and at such places as the samples may be demanded from them, the quantity of milk contained in any such sample to be paid for at the current price, if payment is required therefor at the time.

Samples of milk  
to be labeled.

Not to be used as  
evidence in pro-  
secution, unless  
duplicate given.

**19.** Every sample of milk shall have a label attached to the vessel containing it, which shall have written thereon at the time of collecting, the number of the sample, date of collection, and the initials of the Inspector, who shall at once enter in a book (carried for that purpose) for future reference, a corresponding number, with the name of the owner and driver from whom said sample is obtained, but no such sample shall be used as evidence for a prosecution, unless the Inspector shall deliver a duplicate thereof in a sealed bottle or vessel to the person from whom the sample is obtained,

Examination of  
Sample by  
Inspector.

**20.** Each sample shall be examined separately, according to its number, by the Medical Health Officer or Sanitary Inspector, who shall register the percentage of butter fat opposite the corresponding number in the book kept for that purpose, the name of the owner to be subsequently inserted.

License fee.

**21.** The fee for every license to be issued under this By-law shall be \$1.00, which shall be paid to the City Treasurer before the license is issued, and every license shall continue for one year from the date of issue unless sooner revoked, and if revoked, a proportionate part of the license fee shall be refunded, and no such license shall be transferable.

No person to sell  
milk without a  
license.

**22.** No person shall sell milk, or offer, or keep or supply milk for sale in the City without having a license so to do under the provisions of this By-law.

No person to offer  
for sale any dis-  
eased animal, meat  
fish, fruit, &c.

**23.** No person shall offer for sale as food within this municipality any diseased animal, or any meat, fish, fruit, vegetables, milk, or other article of food which, by reason of disease, adulteration, impurity or any other cause is unfit for use.



**BY-LAW 46.**

**24.** It shall be the duty of the owner of every house within this municipality not supplied with water from the City Waterworks, to provide for the occupants of the same a sufficient supply of wholesome drinking water; and in case the occupant or occupants of any such house is or are not satisfied with the wholesomeness or sufficiency of such supply, he or they may apply to the Board of Health to determine as to the same; and if the supply be sufficient and wholesome, then the expenses incident to such determination shall be paid by the said occupant or occupants, and if not, then they shall be paid by the owner; and in either case the said charges shall be recoverable in the same manner as municipal taxes.

Wholesome drinking water supply for occupants of house.

**25.** All wells in this municipality which are in use, whether such wells are public or private, shall be cleaned out before the 1st day of July in each year, and in case the Board of Health certifies that any well should be filled up, such well shall be forthwith filled up by the owner of the premises.

Wells to be cleaned yearly.

**26.** The following code of rules and regulations for the disposal of sewage and refuse shall constitute a part of this By-law, and any person or persons violating or neglecting any of the said rules and regulations shall be liable to the fines and penalties imposed by section 30 of this By-law.

Rules for disposal of sewage and refuse.

**RULE 1**—No privy-vault, cesspool or reservoir into which a privy, water-closet, stable or sink is drained, shall be established until the details of such establishment have been submitted to and have obtained the approval of the Board of Health, who shall, from time to time, determine the method of disposal of excreta, sewage and other refuse, to be adopted within the district.

Privy-Vaults not to be established without consent of Board of Health

**RULE 2.**—Earth privies or earth closets without a vault below the surface of the ground do not come within Rule 1, but sufficient dry earth, wood ashes or coal ashes to absorb all the fluid parts of the deposit must be thrown upon the contents of such earth privies and closets daily, the contents when removed from the closet must be placed in a shed or box with rain-proof cover, and removed from the premises at least once a month.

Dry Earth Closets regulations.

**RULE 3.**—If the exigencies or circumstances of the municipality require that privy-vaults, cesspools or reservoirs shall be allowed in accordance with Rule 1, they shall be cleaned out at least once a year (if necessary) on or before the fifteenth day of May, and from the fifteenth day of May to the first day of November in each year they shall be thoroughly disinfected by adding to the contents of the vault, cesspool or reservoir once a month, not less than two pounds of sulphate of copper, dissolved in two pailfuls of water, or other suitable disinfectant.

Privy-Vaults to be cleaned out once a year if necessary, between 15th of May and 1st of November.

Privy-Vaults to be disinfected.

**BY-LAW 46.****RULE 4.—**

Night Soil not to be moved except it is properly deodorized and tightly covered.

(1) It shall not be lawful for any person within the City to open or cause to be opened any privy, privy-vault or cesspool, or to remove or cause to be removed any night soil or other contents from any privy, privy-vault or cesspool, or to draw or carry any night soil or other contents of any privy, privy-vault or cesspool through any of the streets, lanes or other thoroughfares in the City, except the same be properly deodorized and closed in air-tight barrels.

No person to engage in removing night soil until appliances have been approved of by the Board.

(2) No person shall engage in the business of privy cleaning, or be permitted to remove any night soil within the City unless, and until he shall have first submitted his appliances for doing such work for the approval of the Board of Health, and shall have obtained a certificate of compliance with the regulations contained in this By-law, with respect to the removal of night soil, and the cleaning of privies, which certificate shall be given by the Medical Health officer under the direction of the Board of Health.

Scale of charges for cleaning vaults.

(3) It shall not be lawful for any person engaged in the business of cleaning privies or removing night soil, under the provisions of this By-law, to make a charge of more than two dollars and fifty cents where the quantity to be removed is less than two cubic yards, or more than one dollar and twenty-five cents per cubic yard, where the quantity to be removed is more than two cubic yards.

Cellars, buildings and yards to be cleaned on or before 15th of May.

**RULE 5.—**All putrid and decayed animal or vegetable matter must be removed from all cellars, buildings, out-buildings and yards on or before the fifteenth day of May in each year.

Garbage, disposal of.

**RULE 6.—**Every householder and every hotel and restaurant-keeper or other person shall dispose of all garbage, for the disposal of which he is responsible, either by burning the same or by placing it in a proper covered receptacle for swill and house offal, the contents of which shall, between the fifteenth day of May and the first day of November, be regularly removed as often as once a week.

Hogs, regulations.

**RULE 7.—**No hog shall be kept within the limits of this municipality, except in pens 70 feet from any house (or street) with floors kept free from standing water, and regularly cleansed and disinfected.

Stables, regulations.

**RULE 8.—**The keeper of every livery or other stable shall keep his stable and stable yard clean, and shall not permit, between the fifteenth day of May and the first day of November, more than two waggon loads of manure to accumu-

late in or near the same at any one time, except by permission of the Board of Health.

**BY-LAW 46.**

**27.** The following regulations regarding the construction of houses, shall be in force within this municipality.

Houses, regulations respecting construction.

**RULE 1.**—No house shall be built in or upon any site, the soil of which has been made of any refuse, unless such soil has been removed from such site, and the site disinfected, or unless the said soil has been covered with a layer of charcoal, covered by a layer of concrete at least six inches thick and of such additional thickness as may be requisite under the circumstances to prevent the escape of gases into such proposed house.

Not to be built on soil made of refuse.

**RULE 2.**—The drain of every house which may be connected with a sewer or cesspool shall be ventilated by means of a pipe extending upward from the highest point of the main soil or waste pipe, and also by a pipe known as the foot ventilating pipe to be placed outside the walls of the house the same to be properly capped; these pipes shall be of the same dimensions as the said main soil or waste pipe. No trap shall intervene between the said ventilating pipes. The soil pipes or the inside ventilating pipes shall be carried above the roof of the house and shall open above at points sufficiently remote from every window, door, skylight, chimney or other opening, leading into any house.

House drains to be ventilated, &c.

Soil and ventilating pipes.

**RULE 3.**—Every house drain shall be constructed of vitrified earthenware or iron pipe; and every soil and waste pipe of iron, shall be rendered impervious to gas or liquids, the joints thereof being run with lead and caulked, or of lead pipe weighing at least 6 lbs. to the square foot; and the waste pipe from every closet, sink, tub, wash-basin, safe or other service shall have as near as may be to the point of junction with such service, a trap so constructed, vented and furnished, that it shall at no time allow of the passage of gas into such house. All joints shall be so constructed as to prevent gas escaping through them.

House drains to be made of vitrified earthenware or iron pipe.

**RULE 4.**—The construction of any closet or other convenience which allows of the escape into the house of air or gas which has been confined in any part of it or from the drain or soil pipe, is hereby prohibited.

Closets allowing escape of gas prohibited.

**RULE 5.**—No refrigerator waste shall be allowed to connect with any drain.

Refrigerators not to connect with drain.

**RULE 6.**—No pipe supplying water directly to a water closet or urinal, shall be connected with the pipe supplying water for drinking purposes.

Pipe supplying water to closet, &c. not to be connected with pipe supplying water for drinking purposes.

BY-LAW 46.

Drainage and plumbing plans to be deposited with Building Inspector.

28. Every person who erects, or causes to be erected, any building, shall, within two weeks after the completion thereof, deposit in the office of the Building Inspector, City Hall, plans of the drainage and plumbing of the same as executed; and in the case of any alteration of any such plumbing or drainage, it shall be the duty of the owner of the house, within two weeks of the making of the alteration ; to deposit in the same manner the plan and record of any such alteration ; if such alteration is made by a tenant or lessee, it shall be the duty of the tenant or lessee to deposit, or cause to be deposited, the plan and record of such alteration.

Rules for preventing the spread of infectious or contagious diseases.

29. The following rules for preventing the spread of infectious and contagious diseases shall constitute a part of this By-law :

Blank forms to be supplied to Medical Practitioners.

RULE 1.—The Medical Health Officer (or Secretary of the Local Board of Health) shall provide each medical practitioner practising within this municipality, with blank forms on which to report to the said Medical Health Officer (or Secretary) any case of diphtheria, smallpox, scarlet fever, cholera, typhoid fever, measles, whooping cough, or other disease dangerous to the public health ; and, also, with other blank forms on which to report death or recovery from any such disease.

RULE 2.—All such forms shall be so printed, gummed and folded that they may be readily sealed, without the use of an envelope, so as to keep them from perusal until opened by the Medical Health Officer (or Secretary).

RULE 3.—Said blanks shall be in accordance with the following forms :

*Report of Infectious Disease.*

Form for report of infectious disease.

Christian name and surname of patient.....  
Age of patient.....  
Locality (giving street, number of house or lot) where patient is .....  
Name of disease.....  
Name of school attended by children from that house.....  
Measures employed for isolation and disinfection.....  
(Signature of physician)  
.....

*Report of Death or Recovery from Infectious Disease.*

Form for report of death or recovery from infectious disease.

Christian name and surname of patient.....  
Locality (giving street, number of house or lot) where patient is .....



Name of disease..... **BY-LAW 46.**  
 How long sick .....  
 Whether dead or recovered .....  
 Means of disinfection employed, and when employed.....

(Signature of physician),  
 .....

**RULE 4.**—The Medical Health Officer (or Secretary), within six hours after he has received a notice of the existence of scarlet fever, diphtheria, smallpox, cholera or whooping cough in any house, shall affix, or cause to be affixed by the head of the household, or by some other person, near the entrance of such house, a card, at least nine inches wide and twelve inches long, stating that such disease exists in the said house, and stating the penalty for removal of such card without the permission of the Medical Health Officer or Board of Health.

Houses where infectious disease exists to be placarded.

**RULE 5.**—No person shall remove such card without the permission of the Board of Health or one of its officers.

Card not to be removed without permission of Board of Health or officer.

**RULE 6.**—No animal affected with any infectious or contagious disease shall be brought or kept within this municipality, except by permission of the Board of Health.

No animal affected with any infectious disease to be brought to city.

**30.** Any person who violates section 4, 6, 7 or 23 of this By-law, or rule 1 of section 27, or rule 5 or 6 of section 29, shall be liable for every such offence to a penalty of not less than \$5 nor more than \$50 in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same. Any person who violates any other provision of this By-law shall be liable for every such offence to a penalty not exceeding \$20, in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same. Every such penalty may be recovered by any person before any two Justices or a Police Magistrate having jurisdiction in the municipality, and shall be levied by distress and sale of the goods and chattels of the offender, with the costs of such distress and sale, by warrant under the hands and seals of the Justices, or the hand and seal of the Police Magistrate before whom the same are recovered, or under the hands and seals of any other two Justices having jurisdiction in the municipality, and in default of sufficient distress the said Justices or Magistrate may commit the offender to the Common Jail, or to any Lock-up or House of Correction in the said municipality for any time not exceeding fourteen days, with or without hard labour, unless the amount imposed be sooner paid.

Penalty

BY-LAW 46.

SCHEDULE "A"

Schedule A.

REFERRED TO IN THE FOREGOING BY-LAW :

Name.....  
Address.....  
Locality of source of supply.....  
No. of Cows.....  
Quality of } to Dairies .....  
Milk. }  
Supplied. } to private people.....  
Food supply.....

Agreement of  
milk vendor.

In consideration of a license being granted to me to sell milk in the City of Hamilton, I hereby agree to report any infectious disease that may occur in my family, or in my house or shop, or in any place from which such milk is obtained, and whatever disease may occur amongst my cattle, to the Medical Health Officer of the City of Hamilton. I also agree to allow the said officer and any Sanitary Inspector of said City to inspect at any time my cows and their supply of food and water, and my cow-byres and dairies, whether in the City of Hamilton or outside the City limits, and all places where milk is sold or kept for sale by me and to furnish samples of milk to any Sanitary Inspector of said City whenever required to do so.

SCHEDULE "B"

REFERRED TO IN THE FOREGOING BY-LAW :

LICENSE.

Schedule B.

.....of the.....in the County of  
.....Dairyman, is hereby authorized to engage  
in the business of Dairyman or Milk Vendor in the City of  
Hamilton, subject to the conditions hereinafter contained :

This license may be revoked by the City Council of Hamilton whenever the Council deems such revocation desirable, and, if not revoked, will continue for one year from date of issue; if revoked, a proportionate part of the license fee will be refunded.

.....  
*Medical Health Officer.*

Hamilton, Ont.,.....

Received one dollar for this License.

.....  
*City Treasurer.*

COPY OF CHAPTER 252, REVISED STATUTES OF  
ONTARIO, 1897, REFERRED TO IN SEC. 8  
OF THE FOREGOING BY-LAW.

BY-LAW 46.

## CHAPTER 252.

*An Act to prevent fraud in the sale of Milk in Cities  
and Towns.*

Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. This Act shall apply to Cities and Towns only.  
56 V. c. 48, s. 1.

2. The Council of any City or Town may by By-law declare that from and after the passing of such By-law this Act shall be in force in such City or Town, and thereupon, and not otherwise, the following sections of this Act shall take effect and be in force therein. 56 V. c. 48, s. 2.

Penalty for selling adulterated or diluted milk.

3. Any person who knowingly and fraudulently sells or supplies to any person any milk diluted with water or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "Skimmed Milk," or who keeps back any part of the milk known as "Strip-pings," or who knowingly and fraudulently sells or supplies to any person milk that is tainted or partly sour from want of proper care in keeping clean and sweet pails, strainers or any vessel in which said milk is kept, shall for every offence forfeit and pay a sum not less than \$1 nor more than \$50 and costs, in the discretion of the Justices before whom the case is heard ; provided, however, that this shall not prevent the sale of skimmed milk by any person if the fact that the same is skimmed is made known to the person to whom such milk is being sold. 56 V. c. 48, s. 3.

Skimmed Milk.

Proviso.

4. Any two or more Justices of the Peace or any Police Magistrate having jurisdiction within the Municipality where the offence has been committed, may hear and determine such complaint, and shall have power, in case the penalty and costs awarded by them are not forthwith paid upon conviction, to levy the same by distress and sale of the goods and chattels of the offender, by warrant under their hands and seals or the hands and seals of any two of them, and in default of payment or sufficient distress, the offender may, by warrant signed and sealed as aforesaid, be imprisoned in the common gaol for a period not less than

Who may hear complaints.

Imprisonment on default of payment.

**BY-LAW 47.** one day nor more than twenty days, at the discretion of such Justices, or any two of them, unless such penalty, costs and the charges of commitment are sooner paid. 56 V. c. 48, s. 4.

Civil remedy of person aggrieved.

5. Any person aggrieved by such fraudulent conduct as aforesaid may at his election sue the offender in any civil Court of competent jurisdiction, and recover from him the amount of damages sustained and levy the same with the costs according to the ordinary practice of the Court in which the action is brought. 56 V. c. 48, s. 5.

## BY-LAW No. 47.

*For the Regulation of the City Parks.*

Public Parks.

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

Roads not to be used for heavy teaming.

1. No person shall be allowed to use the roads in the public parks for the purpose of teaming or carting heavy loads over or upon the same.

Trees and flowers, injury to

2. No person shall climb, bark, break, peel, cut, deface, remove, injure, root up or otherwise destroy or damage any tree, shrub, flower, root or grass planted, growing or being in any of such public parks or squares, or shall pluck any flower therein.

Nuisances prohibited.

3. No person shall carry into any public park or square any dead carcass, filth, dirt, stone or any offensive matter or substance whatsoever, or expectorate tobacco juice upon any walk therein, nor shake or otherwise clean any carpet or commit any nuisance therein.

Animals not to run at large in parks.

4. No owner or keeper, of any horse, cattle or swine, shall suffer the same to go at large, or feed upon any public park or square, and any horse, cattle or swine found at large therein shall be impounded.

Immoderate driving in.

5. No person shall ride or drive any horse or other animal, or any automotor, bicycle or other vehicle in any public park in the City, in such a manner as to endanger or unreasonably incommode any person.

Games to be played in a portion set apart.

6. No person shall play football or any other game within a public park or square, except in such portion thereof as may be set apart for that purpose by the Parks Committee.



7. No person shall expose for sale in any public park or square, refreshments of any kind except in such portions thereof and at such times as may be authorized by the Parks Committee.

**BY-LAW 48.**

Refreshments not to be sold.

8. No person shall break, cut, deface or injure any gate, lock, bolt, fence, seat, bench or other property placed in any public park or square.

Property not to be injured.

9. No person shall lie on the grass in Gore Park, or its extension, or Wellington Park, or on any of the benches therein, nor shall any meeting be held in either of said parks.

Lying on Grass or Benches and Public Meetings prohibited.

10. No person shall, in any public park or square, behave improperly or be disorderly, or use boisterous, insulting or indecent language, or obstruct or annoy any other person therein.

Disorderly conduct.

11. Any police constable of the City, and any other person specially appointed for the purpose, shall have power to enforce the maintenance of order in the public parks and squares, and to remove therefrom any person or persons who may refuse to comply with any of the regulations or provisions hereinbefore contained.

Officers to preserve order.

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### BY-LAW No. 48.

#### *To Establish a Public Park and Boulevard at Burlington Beach.*

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Whereas it is in the Public interest that a Public Park and Boulevard should be established at Burlington Beach, situate in the municipality of the Township of Saltfleet, adjoining the municipality of the City of Hamilton ;

Public Parks and Boulevard at Burlington Beach.

And whereas for this purpose it is expedient to enter upon, take and use the lands hereinafter described ;

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

1. The Corporation of the City of Hamilton shall forthwith enter upon and take for the use of the said Corporation for a public park and boulevard the lands hereinafter described, and shall acquire so much thereof as may not already be vested in said Corporation, making due compensation therefor to the parties entitled thereto, if any there be,

City to acquire property for parks

**BY-LAW 48.** such compensation to be determined under the provisions of the Municipal Acts, by arbitration, where the parties do not agree.

Description of  
Lands.

2. The lands to be entered upon, taken and used as a public park and boulevard under this By-law consist of the parcels hereinafter described, namely :

(1) That parcel of land containing one acre and thirty-nine one-hundredths of an acre, lying between the public road and the lands of the Grand Trunk Railway Company and more particularly described in the lease thereof from the Crown to the Corporation of the City of Hamilton, bearing date the first day of October, 1886.

(2) That parcel of land lying between the public road and the shore of Burlington Bay and extending for a distance of sixteen hundred feet more or less between said boundaries, from the southerly limit of the Canal reserve to the lands formerly belonging to Mrs. Walsh, as shewn on the plan made by Brownjohn and Biggar, dated the seventh day of September, 1874, accompanying the lease of said lands from the Crown to the Corporation of the City of Hamilton, bearing date the twentieth day of November, 1874.

(3) That parcel of land lying between the public road and the shore of Burlington Bay and extending seven hundred and sixty feet more or less between said boundaries from the Canal reserve to within twenty feet of lot 24 in the survey of lots laid out by the said City Corporation north of the Burlington Canal.

(4) That parcel of land consisting of lots 19, 20, 21 and 22 in said survey laid out by the Corporation of the City of Hamilton.

(5) That parcel of land lying between the public road and the shore of Burlington Bay and extending four hundred and eighty feet more or less between said boundaries from lot 15 in said survey, to the northerly limits of the lands leased by the Crown to the Corporation of the City of Hamilton, as shewn on the plan of Brownjohn and Biggar hereinbefore mentioned.

(6) That parcel of land consisting of the promontory, or promontory and island, extending in a southerly direction through the waters of Burlington Bay from the lands of John Thomas on Burlington Beach to the southerly limit of the lands described in the lease from the Crown to James Crooks, Edgar Burton Wingate, George Magill, Thomas Crooks and Richard Crooks, dated the tenth day of June, 1892.

3. This By-law is declared to have been in force from and after the eleventh day of June, 1894.

**BY-LAW 49.**

Date when By-law came into force.

**BY-LAW No. 49.***On House of Refuge.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. The House of Refuge Committee shall exercise a general supervision over the Institution and examine into the faithfulness and economy of management thereof by the officers and servants.

House of Refuge Committee to have supervision of Institution.

**RULES AND REGULATIONS.**

2. There shall be a Superintendent and Matron appointed by the City Council at such salaries as the Council shall decide.

Superintendent and Matron, appointment of

The special duties of the Superintendent shall be as follows :

Duties of Superintendent.

(1) He shall observe and enforce all By-laws of the City and all Rules and Regulations of the Committee which are now in force, or which may be adopted hereafter, for the government of the Institution.

To enforce By-laws and Rules and Regulations.

(2) He shall see that all supplies furnished to the Institution for its use are delivered according to contract, and keep an account of all provisions, fuel, clothing, etc., received into the House for the use of the inmates.

Supplies to be furnished according to contract.

(3) He shall keep a correct inventory, properly classified of all the moveable property belonging to the Institution.

Inventory of property.

(4) He shall see that the food supplied to the inmates is wholesome, and properly cooked and served.

Food to be wholesome.

(5) He shall carefully weigh and check all supplies received for the Institution, taking no weights for granted, and keep an exact record of dates on which such supplies are received, noting any shortage or deficiency in weight or quality.

Supplies to be weighed and checked

**BY-LAW 49.**

Deficiency in supplies to be reported.

(6) He shall immediately report any shortage or deficiency in the matter of supplies to the Chairman of the Committee.

Time and wages of Employees to be recorded.

(7) He shall keep a book in which an account of the time and wages of all persons employed in the House of Refuge shall be recorded.

Superintendent to order and receive supplies and keep stock book.

(8) He shall order and receive under the direction of the Chairman of the Committee, fuel, ice, provisions, and all other stores, for the use of the House of Refuge, and he shall keep a stock-book of the same, adding all stores purchased, and deducting from time to time such as have been used in the House, so that it may at all times be seen what amount of stores of each kind is actually on hand.

Accounts to be laid before the Committee monthly.

(9) He shall keep pass books in which shall be entered all articles purchased from tradesmen, with whom accounts may be opened by order of the Committee or the Chairman thereof; and for all other articles he shall obtain invoices, all of which he shall lay before the Committee once a month at their regular monthly meeting.

Money received to be reported to Committee and paid to City Treasurer.

(10) He shall keep a book shewing an account of all monies received by him, and shall report the same to the Committee at the end of each month, and shall produce receipts from the City Treasurer therefor.

Not to admit persons without order of Mayor or Chairman.

(11) He shall receive no person as an Inmate upon any pretext whatever without an order signed by the Mayor or Chairman of the Committee.

Inventory to be kept of Inmates effects.

(12) He shall, upon the admission of any person, take over his money, valuables or effects, making a proper inventory thereof, and giving to the person admitted a receipt therefor, which receipt shall be collected on the discharge of such person and preserved for future reference.

Outer doors and gates when to be opened and closed

(13) He shall keep the keys of the outer doors and gates, and lock them at sunset, and open them at 6 a. m. from 1st of May to 1st November, and at 7 a. m. during the rest of the year.

Not to allow immoral conduct or profane language &c.

(14) He shall be careful to allow no immoral conduct, profane, or obscene language, or quarrelling or fighting on the part of any inmate.

To record misconduct and report.

(15) He shall record in a book kept for that purpose, any misconduct or any irregularity that may occur, or any complaint which may be made to him by any of the employees or inmates, and shall report the same without delay to the Chairman of the Committee.



(16) He shall not allow any trunks, clothes or effects belonging to inmates to be taken into the bedrooms or dormitories, but shall store the same in a storeroom, giving out at a regular hour each day any article that may be asked for or needed.

**BY-LAW 49.**

Trunks or effects not to be taken into bedrooms.

(17) On the death of any inmate, the Superintendent shall at once cause the body to be removed to the Dead House, and safely kept there until delivered for interment, or to such authorized person as the law may direct: but no body shall be removed without an order from the visiting physician of the House.

Death of inmate.

(18) He shall see that the grounds are kept clean and in good order at all times, and shall not allow filth or rubbish to accumulate thereon.

Grounds to be kept clean.

(19) He shall not absent himself from the House except with the consent of the Chairman of the Committee, and shall never be absent from the House at the same time as the Matron.

Superintendent not to be absent from Institution without consent of Chairman.

(20) He shall be constantly on the watch that no extravagance in the matter of light, fuel and food takes place, and shall issue such orders to that end as he may from time to time deem proper.

To prevent extravagance in Light, Fuel and Food.

(21) He shall furnish to the Committee at each regular meeting a report of all inmates admitted to the House since the previous meeting.

Monthly report of number of inmates

(22) He shall have power, when he believes it necessary to do so, to discharge any inmate for unseemly conduct or breach of regulations, but shall report such case at once to the Chairman of the Committee.

Superintendent may discharge inmates for breach of regulations.

(23) He shall carry out and carefully attend to all orders and directions given by the visiting physician of the House.

To carry out orders of Physician.

**3. The Special Duties of the Matron shall be as follows:**

Duties of Matron.

(1) She shall have general oversight of the Female Inmates, and see that all by-laws of the city, and all rules and regulations of the Committee respecting them are strictly observed.

Matron to have general oversight of female inmates.

(2) She shall see that the House is kept thoroughly clean throughout; take charge of all requisites necessary to furnish the various wards, and see that the beds and bed-clothing in both male and female wards are kept in proper order and thoroughly clean.

To see that house is kept clean and bed clothes kept in order.

**BY-LAW 49.**

Responsible for  
liquors.

(3) She shall keep under lock and key, and be personally responsible for all liquors ordered for and supplied to the House of Refuge.

Liquors to be  
given out by  
Matron.

(4) She shall measure out and give with her own hand all liquors prescribed by the visiting physician to the inmates, at such times and in such quantities as may by him be ordered, and she shall on no account give to any inmate any liquor of any sort, except when required to do so by the physician's direction or in cases of great emergency, and she shall record in a book to be kept by her, the daily quantity of liquor given by her to the inmates, and to whom given.

**4. DUTIES OF ENGINEER.**

Heating apparatus  
to be under  
control of  
Engineer.

(1) He shall have the entire charge and care of the heating apparatus and repairs thereof, and the superintendence of the grounds and the laborers in connection therewith, subject at all times to the authority of the Superintendent.

Other duties of  
Engineer.

(2) He shall perform such other duties as the Superintendent shall direct.

**RULES AS TO ADMISSION.**

Admission of  
Inmates.

**5.** The following persons only shall be eligible for admission to the House of Refuge :

Persons eligible  
for admission.

(1) Citizens whose age and infirmities render them incapable of providing for themselves, and who have no relatives or friends able or willing to support them :

(2) Citizens in so weak a state of health (certified by the visiting physician of the House), as to unfit them for earning their own living.

**6.** The following persons shall be ineligible for admission :

Persons ineligible  
for admission.

(1) Persons who are known to be depraved and of bad character :

(2) Persons with contagious diseases :

(3) Persons of unsound mind :

(4) Persons belonging to other municipalities.

**7. RULES FOR INMATES**

Inmates to be  
within doors at  
7 p. m.

(1) The Superintendent shall see that all inmates are within the doors for the night at 7 p. m., and that they are in bed not later than 9 p. m., in the summer time and 8 p. m., in the winter time.

Bed hours.

(2) All inmates shall, within forty-eight hours of their admission, be examined by the visiting physician, who shall report as to their fitness to become inmates.

**BY-LAW 49.**

Inmates to be examined by visiting physician.

(3) The inmates are to be allowed to attend their several places of worship on Sunday, but they shall return to the House immediately after the service, unless permission to the contrary has been obtained from the Superintendent.

Inmates allowed to attend church.

(4) All inmates who are able shall rise at the ringing of the bell at 7 a. m. during the months of April, May, June, July, August and September, and at 8 a. m. during the remainder of the year.

Hours for rising.

(5) No person shall be allowed to sit down to meals without appearing properly washed and clean.

Not allowed at meals unless properly washed and clean.

(6) No profane or improper language or immoral conduct shall be permitted on the premises.

Profane language or immoral conduct prohibited.

(7) No spirituous or malt liquors shall be allowed on the premises except what may be required in the medical stores.

Spirituous liquors prohibited.

(8) No inmate shall leave the House without the sanction of the Superintendent.

Inmate not to leave house without consent of Superintendent.

(9) No visitors shall be allowed to any of the inmates without the permission of the Superintendent.

(10) Inmates supported in the House shall perform any work required of them by the Superintendent or Matron.

Inmates to perform work when required.

(11) No pensioner shall be received into the House until he has surrendered all his pension to the City Corporation for his maintenance, nor until the Committee is satisfied that the applicant has no friends to help him, and that he is unable to take proper care of himself.

Pensioners to surrender pension.

(12) No person who has any money or property shall be admitted to the House of Refuge as an inmate unless he gives security to the City Corporation for payment to the extent of his means or property, of such weekly sum for the cost of his maintenance as the Committee shall decide and also for payment of his funeral expenses in case of his death in the institution.

Persons having money or property, to contribute toward maintenance and funeral expenses in case of death.

(13) Such inmates as are considered able shall assist in the house-work, and in nursing the sick, making the beds, cleaning the wards, and doing such other work as the Superintendent or Matron shall from time to time direct.

Inmates considered able, to assist in housework, etc.

8. Any inmate violating any of the rules shall be reported in writing by the Superintendent to the Committee.

Inmates violating rules to be reported.

**BY-LAW 50**

Superintendent may discharge inmate for breach of regulations.

Inmate once discharged not to be re-admitted without consent of Committee.

Smoking prohibited except in rooms set apart.

9. The Superintendent shall have power, when he deems it necessary to do so, to discharge any inmate summarily for unseemly conduct or for breach of the rules and regulations.

10. No inmate who has once been discharged from the House, either by the Committee or Superintendent, shall be again admitted, except by order of the Committee.

11. Smoking is positively prohibited, except in such rooms as may be set apart for that purpose. Any infraction of this rule will render the inmate liable to immediate dismissal.

**BY-LAW No. 50.**

*For Regulating the City Jail.*

Preamble.

**W**HEREAS the City of Hamilton have purchased from the County of Wentworth the County Jail, which has been taken over by the City Corporation, and is now in their possession, and under their control in pursuance of the provisions of the Act passed by the Legislature of the Province of Ontario at the last session thereof entitled "An Act respecting the sale of the Jail of the County of Wentworth to the City of Hamilton."

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

Principal Supplies to be purchased by contract.

Jailer to be responsible for care of supplies and other property.

1. All the principal supplies for the Jail shall be purchased by yearly contracts, for which tenders shall be obtained by the Jail Committee, and the Jailer shall be responsible for the care of all supplies for the Jail, and of all clothing, furniture and other property in and about the Jail, and shall keep correct accounts thereof, and such supplies clothing and other articles as shall not be provided for by contract shall be procured by him, subject to the control and direction of the Jail Committee of the City Council or of the Chairman thereof.

Jailer to keep a separate account of City and County Prisoners.

2. The Jailer shall keep a separate account of the names, offences and terms of imprisonment of the prisoners chargeable to the City of Hamilton and the County of Wentworth respectively, and shall on the first days of the months of January, April, July and October in each year transmit to the City Clerk a statement shewing the names of the prisoners chargeable to the County of Wentworth and the number of days each of such prisoners has been confined in



the City Jail during the quarter then preceding, and the total amount chargeable to the County in respect of such prisoners for such last quarter.

BY-LAW 51.

3. This By-law is declared to have been in force from and after the eleventh day of June, 1896.

Date when By-Law came into force.

## BY-LAW No. 51.

*Respecting the City Hospital.*

**W**HEREAS it is deemed expedient to make a change in the management of the City Hospital and to place it under the control of a Board of Governors;

Preamble.

Therefore the Council of the Corporation of the City of Hamilton, enacts as follows:

1. Sections 1, 2, 3 and 4 of By-law No. 740 respecting the City Hospital are hereby repealed so far as they relate to the Hospital, such repeal to take effect upon and from the first day of July, 1896.

Sec. 1, 2, 3 and 4 of By-law No. 740 repealed.

2. From and after the first day of July, 1896, the City Hospital, including the Maternity and Fever Hospitals, shall be placed under the control and management of a Board of Governors consisting of the Mayor and the Chairman of the Finance Committee of the City Council and of five other persons, not members of the Council, to be appointed by by-law, who shall hold office for one, two, three, four and five years respectively, and in case of the death, resignation or removal of any member of the Board, the Council shall without delay appoint a successor so as to keep the members of the Board of Governors up to the full number of seven, and the Council shall at their first regular meeting in June of each year after 1896 appoint a member of the Board of Governors who shall hold office for five years from the 1st July following his appointment in place of the member whose term of office expires on that date, and such retiring member shall be eligible for re-election. The meetings of the Board shall be held at the Hospital, and at the first meeting of the Board, which shall be held at 11 a. m. on the second day of July, 1896, the appointed members shall determine by lot their respective terms of office.

Hospital placed under control of a Board of Governors.

Constitution of Board.

Appointment of Successors.

Annual appointment of a member

Members at first meeting to determine by lot their respective terms of office.

3. The Board of Governors shall meet once a month at least, and as much oftener as they may deem necessary, and shall, at their first meeting in the month of July in each year, appoint a Chairman, who shall be their presiding officer and shall hold office until his successor shall be appointed, and in case of his death, resignation or removal or of the expiration of his term of office as a member of the Board of Governors, the Board shall, as soon as practicable,

Meetings of Board

Election of Chairman.

**BY-LAW 51.**  
Quorum.

appoint a Chairman in his stead. At all meetings of the Board a majority of the members shall constitute a quorum.

City Council to  
make annual  
appropriation.

4. An appropriation shall be made annually by the Council for the City Hospital and the expenditure of such appropriation shall be under the direction and management of the Board of Governors, subject as hereinafter provided.

Accounts of Board  
to be submitted  
monthly to the  
Finance Com-  
mittee of City  
Council.

5. The Board of Governors shall submit to the Finance Committee of the City Council on or before the twentieth day of each month, a statement in detail of the expenditure for the City Hospital for the preceding month up to that date, together with the accounts therefor, and the Finance Committee shall examine such statement and accounts, and recommend to the City Council the payment of all liabilities properly incurred and passed by the said Board, and report to the Council the amount thereof.

Appointment and  
dismissal of offi-  
cers and em-  
ployees vested in  
Board.

6. The Board of Governors shall have power to appoint and to suspend or remove all officers, nurses and employees of the City Hospital, which power shall no longer be exercised by the City Council.

Board of Govern-  
ors may make by-  
laws, rules and  
regulations, and  
fix salaries.

7. The Board of Governors shall also have power to make by-laws or general rules and regulations from time to time with respect to the conduct and management of the City Hospital, and the number, titles, terms of office, duties and remuneration of the medical staff, officers, nurses and employees, and their appointment and suspension or removal.

By-laws of Board  
when to come into  
effect.

8. All by-laws, general rules and regulations relating to the City Hospital which shall be in force on the first day of July, 1896, shall so continue until repealed or altered by by-laws or general rules or regulations made by the Board of Governors, and such last mentioned by-laws, rules or regulations shall not come into force until the expiration of one month from the time that a certified copy thereof has been delivered to the City Clerk, within which period any of such by-laws, general rules or regulations may be disallowed by a vote of two-thirds of the whole City Council, but this power of disallowance shall not apply to any action of the Board of Governors under the sixth section of this by-law.

No authority  
given Board to  
alter or repeal this  
By-law.

9. Nothing herein contained shall authorize the Board of Governors to repeal or alter any of the provisions of this By-law.

Members of Board.

10. A. D. Stewart, John Billings, George Roach, George Rutherford and Alex. H. Moore, are hereby appointed members of the Board of Governors of the City Hospital from the first day of July, 1896, upon and subject to the terms hereinbefore contained.

Date when By-  
Law came into  
force.

11. This By-law is declared to have been in force from and after the eighteenth day of May, 1896.

## BY-LAW No. 52.

## BY-LAW 52.

*Respecting the Hamilton Cemetery.*

Whereas it is deemed expedient to make a change in the management of the Hamilton Cemetery, and to place it under the control of a Board of Managers.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows:

1. From and after the first day of May, 1899, the Hamilton Cemetery shall be placed under the control and management of a Board of Managers consisting of the Mayor and the Chairman of the Parks Committee for the present year and thereafter, in his stead, the Chairman of the Finance Committee of the City Council, and of four other persons, not members of the Council, to be appointed by by-law, who shall hold office for one, two, three and four years respectively, from the first day of May, 1899, and also a representative appointed by Christ Church, and one appointed by the Church of the Ascension, so long as there shall be an agreement between the said Churches respectively and the City Corporation for the joint management of the portions of the Cemetery belonging to the said Churches and the City Corporation respectively, and, in case of the death, resignation or removal of any appointed member of the Board, or of any such member becoming a member of the City Council, the Council, or one of the said Churches, as the case may be, shall without delay appoint a successor, so as to keep the members of the Board of Managers up to the full number of eight, and the Council shall at their second regular meeting in April of each year after 1899 appoint a member of the Board of Managers, who shall hold office for four years from the first day of May following his appointment, in place of the member whose term of office expires on that date, and such retiring member shall be eligible for re-election. The meetings of the Board shall be held at the City Hall, and at the first meeting of the Board, which shall be held at 11 a. m. on the second day of May, 1899, the members appointed by the City Council shall determine by lot their respective terms of office.

Appointment of a Board of Managers for the Hamilton Cemetery.

Constitution of Board.

Christ Church Representative.

Church of the Ascension Representative.

Vacancies on Board how filled.

Annual appointment of a member

Appointed members to determine term of office by lot.

2. The Board of Managers shall meet once a month at least, and as much oftener as they may deem necessary, and shall, at their first meeting in the month of May in each year, appoint a Chairman, who shall be their presiding officer and shall hold office until his successor shall be appointed, and in case of his death, resignation or removal, or of the expiration of his term of office as a member of the Board of Managers, the Board shall, as soon as practicable,

Meetings of Board

Appointment of Chairman.

**BY-LAW 52.** appoint a Chairman in his stead. At all meetings of the Board a majority of the members shall constitute a quorum.

Annual appropriation to be made by Council.

**3.** An appropriation shall be made annually by the Council for the Hamilton Cemetery, and the expenditure of such appropriation shall be under the direction and management of the Board of Managers, subject as hereinafter provided.

Accounts to be submitted to Finance Committee.

**4.** The Board of Managers shall submit to the Finance Committee of the City Council on or before the twentieth day of each month, a statement in detail of the expenditure for the Hamilton Cemetery for the preceding month up to that date, together with the accounts therefor, and the Finance Committee shall examine such statement and accounts, and recommend to the City Council the payment of all liabilities properly incurred and passed by the said Board, and report to the Council the amount thereof.

Board to have power to appoint or remove officers and employees.

**5.** The Board of Managers shall have power to appoint and to suspend or remove all officers and employees of the Hamilton Cemetery, which power shall no longer be exercised by the City Council.

Board to make By-laws and General Rules and Regulations.

**6.** The Board of Managers shall also have power to make by-laws or general rules and regulations from time to time with respect to the management of the Hamilton Cemetery; and the number, titles, terms of office, duties and remuneration of the officers and employees, and their appointment and suspension or removal.

By-laws, Rules and Regulations, when to take effect.

Disallowance by Council.

**7.** All by-laws, general rules and regulations relating to the Hamilton Cemetery which shall be in force on the first day of May, 1899, shall so continue until repealed or altered by by-laws or general rules or regulations made by the Board of Managers, and such last mentioned by-laws, rules or regulations shall not come into force until the expiration of one month from the time that a certified copy thereof has been delivered to the City Clerk, and has been communicated by him to the Council, within which period any of such by-laws, general rules or regulations may be disallowed by a vote of two-thirds of the whole City Council, but this power of disallowance shall not apply to any action of the Board of Managers under the fifth section of this By-law.

Board not authorized to alter or repeal this By-law

**8.** Nothing herein contained shall authorize the Board of Managers to repeal or alter any of the provisions of this By-law.

Board to control all portions of Cemetery.

**9.** Besides controlling that part of the Cemetery belonging to the City Corporation, the Board of Managers shall also have the control and management of the portions of the Cemetery belonging to Christ Church and the



Church of the Ascension respectively, so long as the City Council shall have charge and authority over them under any agreement with said Churches.

**BY-LAW 53.**

**10.** J. M. Eastwood, James Donald, Seneca Jones and W. J. Kingdon, together with John J. Mason, the representative appointed by Christ Church, and Alfred Powis, the representative appointed by the Church of the Ascension, are hereby appointed members of the Board of Managers of the Hamilton Cemetery from the first day of May, 1899, upon and subject to the terms hereinbefore contained.

Appointment of members of the Board.

**11.** This By-law is declared to have been in force from and after the 24th day of April, 1899.

Date when By-law took effect.

## BY-LAW No. 53.

*Relating to the Hamilton Cemetery.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

**1.** The Cemetery, situate upon and adjoining Burlington Heights in the City of Hamilton, shall hereafter be called "The Hamilton Cemetery."

The Hamilton Cemetery.

**2.** The Mayor is hereby authorized to execute under the Corporate Seal of the City the agreement with the Incumbent and Church Wardens of Christ Church and the Incumbent and Church Wardens of the Church of the Ascension, a copy whereof is contained in Schedule A appended to this By-law.

Mayor authorized to execute agreement with Christ Church and Church of the Ascension.

**3.** This By-law is declared to have been in force from and after the 13th day of June, 1892.

Date when By-law took effect.

## SCHEDULE A, REFERRED TO IN THE FOREGOING BY-LAW,

ARTICLES OF AGREEMENT entered into this day of May, one thousand eight hundred and ninety-two.

Agreement.

## BY-LAW 53. BETWEEN

THE CORPORATION OF THE CITY OF  
HAMILTON, hereinafter called the "City Cor-  
poration," of the first part,

THE INCUMBENT AND CHURCH WARDENS  
OF CHRIST CHURCH in said city, herein-  
after called "Christ Church," of the second part,

—and—

THE INCUMBENT AND CHURCH WARDENS  
OF THE CHURCH OF THE ASCENSION  
in said city, hereinafter called the "Church of the  
Ascension," of the third part.

WHEREAS, the parties hereto are the owners of differ-  
ent portions of the cemetery situate upon and adjoining  
Burlington Heights in the City of Hamilton, and herein-  
after called the Hamilton Cemetery, and it is deemed  
expedient that the whole cemetery should be under the  
management and control of the City Corporation.

The said parties hereby mutually agree as follows :

Whole of  
Cemetery to be  
under control of  
city.

1. The Superintendent and his assistants, appointed  
by the City Council of Hamilton, shall have charge and  
authority over the whole of said Cemetery, including the  
portions belonging to Christ Church and the Church of the  
Ascension respectively.

Churches to each  
pay \$60.00 an-  
nually in quar-  
terly payments of  
\$15.00.

2. The said Churches shall each pay the sum of sixty  
dollars annually to the City Corporation towards payment  
of the salaries of the Superintendent and his assistants, such  
contribution to be made in quarterly payments of fifteen  
dollars each, the first payment to be made on the first day  
of July, 1892.

City to make sale  
of all burial lots.

Churches to exe-  
cute deeds of  
conveyance.

3. The City Corporation shall make sale of all burial  
lots sold in said Cemetery, and the said Churches respect-  
ively shall execute the deeds of conveyance to the purchas-  
ers upon receipt from the City Corporation of the purchase  
money, such deeds of conveyance to provide that the pur-  
chasers of such burial lots and their assigns shall hold the  
same subject to the rules and regulations hereinafter men-  
tioned, and any rules and regulations which may hereafter  
be made by the Council of said City Corporation, with the  
approval of the Church executing such deeds.

City to retain fees  
for interments  
and removals.

4. The City Corporation shall retain all fees for inter-  
ments and removals.

5. The Church Wardens of each Church shall in all matters relating to said Cemetery have a seat and voice at the meetings of the Committee of the City Council which may have supervision of said Cemetery.

**BY-LAW 54.**

Church wardens to have seat and voice at meetings of committee.

6. The rules and regulations, a copy whereof is hereunto annexed, are agreed upon by all parties hereto as applicable to the whole of said Cemetery, including the portions belonging to the said Churches respectively.

Rules and regulations applicable to whole of cemetery

7. This agreement shall take effect upon and from the first day of April, 1892, and shall continue in force thereafter, except in so far as it may be determined as to any one or more of the parties thereto by notice in writing as hereinafter provided.

Date when agreement took effect.

8. Any one of the parties to this agreement shall have the right to terminate the same so far as such party is concerned at or after the expiration of five years from the first day of April, 1892, upon giving to the other parties hereto six months' notice in writing of the intention so to do, and upon the expiration of such period of six months, or upon the day mentioned in such notice, whichever shall be the latest date, this agreement shall cease and determine so far as it concerns the party that has given the notice.

Agreement may be determined after 5 years, by either party giving six months notice.

In witness whereof the said parties have hereunto affixed their seals.

Signed, Sealed and Delivered )  
in presence of )

**BY-LAW No. 54.**

*For regulating the common sewers and for levying an annual sewer rent and for other purposes.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. It shall and may be lawful for the Sewers Committee, with the sanction and by the order of the City Council, to construct common sewers and drains in such streets, lanes or alleys of the City as they may deem necessary for sanitary or other purposes, and also to construct sewers as local improvements, under the provisions of the Municipal Act.

Sewers Committee with sanction of Council may build sewers.

**BY-LAW 54.**

All lands and buildings opposite sewer shall be drained therein.

2. All lands and all buildings abutting on any street, lane, or alley in the City, and being opposite to any common sewer which has been or may be constructed therein, shall be drained into such sewer.

If owner or occupant neglects to drain premises, City may do the work and collect the cost.

3. If any person owning or occupying any such land or building shall neglect or refuse to comply with the requirements of the foregoing section within thirty days after a written notice has been served upon him under the authority of the Sewers Committee, the Board of Works, or the Board of Health, or if any such land or building be vacant and no owner or agent of the same can be found within the City, then after a written notice has been posted up on the land or building for the period aforesaid, it shall be the duty of the Sewers Committee, and they are hereby authorized, to cause the required drain or drains, sewer or sewers to be forthwith constructed so as to well and sufficiently drain such premises, and upon the completion of the work, they shall cause to be filed with the City Clerk a statement shewing the work done, the entire cost thereof, and the apportionment of such cost in just proportions upon the several lots or premises drained, and such apportionment shall be final and binding upon all parties, and the cost of the same, if not paid on demand, shall be collected from the owners or occupants of such lands or buildings, by proceedings at law in any court of competent jurisdiction.

Statement of cost to be filed with City Clerk.

4. All persons who own or occupy property, which is drained into any common sewer, or which is required by this By-law to be drained into such sewer, and who have not contributed directly to the building of such common sewer shall be charged an annual rent based on the frontage of such property abutting on the street, lane or alley in which the common sewer is constructed, for the use of such sewer as follows: that is to say, on lands fronting on the street, lane or alley, and being opposite to or drained into any such common sewer, at the rate of three cents per foot frontage; and on all portions of said lands on which buildings are or may hereafter be erected, an additional three cents per foot for the street frontage of every such building shall be charged. Provided always that where corner lots are built upon on more than one side, each separate tenement shall pay sewer rent as aforesaid, whether such tenement be on the front or side of a lot, but no such tenement shall pay for more than one street frontage. Provided further that where any lands are situate at the intersection of a street with any other street, lane or alley, upon each of which streets, lanes or alleys there is a common sewer, the fronts only of such lands, together with so much of the flank thereof as the said flank exceeds one hundred feet, shall be assessed for the sewer rent hereby imposed.

Annual sewer rent.

3 cents per foot frontage on lands.  
3 cents per foot frontage additional on buildings.

Each separate tenement to pay sewer rent.

Flankage allowance on lands.

Commutation of sewer rent.

5. The owner or occupier of any property drained or required to be drained into any common sewer may com-



mute for the annual sewer rent, by payment of the sum of fifty cents per foot frontage for a brick sewer, or such sum as shall be equal to one half the cost per foot frontage of a pipe sewer.

**BY-LAW 54.**

6. It is hereby made the duty of the Assessment Commissioner, once in each year to ascertain and place upon an assessment roll, to be prepared for the purpose, all lands and buildings or sub-divisions thereof fronting or abutting on any street, lane or alley, in the City, through which a common sewer has heretofore been or may hereafter be constructed, and the names of the respective owners and occupiers thereof.

Assessment  
Commissioner to  
make assessment.

7. It shall be the duty of the Assessment Commissioner to calculate and to set down every year in a roll according to the form in Schedule A, opposite the name of each person assessed, the amount of the sewer rent required to be paid by him for the then current year under this By-law, and to hand the roll to the Collector of Taxes on or before the first day of December in such year. The rents set down in such roll shall be payable to the Collector of Taxes on or before the first day of May in the following year, and five per cent shall be added to all such rents as shall remain unpaid after the fourteenth day of September in that year.

Assessment  
Commissioner to  
make roll.

When to return  
roll to Tax  
Collector.

Penalty for non-  
payment.

8. It shall be the duty of the Collector of Taxes to demand payment from each person whose name appears on the roll, of the sums payable by him, according to the said roll, by leaving or causing to be left with him or at his residence, or domicile, or place of business, or upon the premises in respect of which the sewer rent is payable, a bill of the same, according to the form contained in Schedule B, and the person leaving such bill shall immediately thereafter enter on the said roll opposite the name of the person assessed, the date and place when the bill was so left.

Collector of Taxes  
to collect sewer  
rent.

9. In case any person liable as aforesaid, shall refuse or neglect, for fourteen days after demand made as in the last section provided, to pay such sewer rent, and the time fixed for payment thereof under this By-law shall have elapsed, the Collector of Taxes, shall cause the same to be collected in the same manner, and with the like remedies, as ordinary taxes upon real estate are collectable, under the provisions of the Assessment Act, and such sewer rents shall form a lien and charge upon the real estate in respect of which the same have been charged.

Sewer rent to  
form a lien on  
real estate.

10. If the owner or occupier of any property drained or required by this By-law to be drained into any common sewer, shall commute the annual sewer rent chargeable thereon, the Mayor of the City shall execute a license under the City Seal to such owner or occupier in the form contained in Schedule C.

When persons  
commute annual  
sewer rent.  
Mayor to execute  
a license.

BY-LAW 54.

SCHEDULE A.

SEWER RENT ROLL.

Form of sewer  
rent roll.

No.	Occupant,	Owner,	No. of House	No. of Lot,	6c. Built Frontage Feet.	3c. Vacant Frontage Feet.	Amount.					Remarks.	
							\$	c.			\$	c.	

SCHEDULE B.

TAX COLLECTOR'S OFFICE, CITY HALL,

No....

Hamilton,..... I .

Form of sewer  
rent account.

.....

To the City Corporation, Dr.

For Sewer Rent on premises situate on.....	\$	c.
Street, Lot No..., Ward No..., from 1st Janu-		
ary, I , to 1st January, I .....		
To Rent of....feet at 6 cts.....		
" " ".... " " 3 cts.....		
Payable on or before 1st May.....		
Arrears .....		
Total amount to be paid into the Collector's		
office.....		

Received payment,

.....

For Collector.

Hamilton,.....

## SCHEDULE "C."

BY-LAW 54.

*TO ALL TO WHOM THESE PRESENTS SHALL COME :*

THE CORPORATION OF THE CITY OF HAMILTON

SENDS GREETING :

License.

Whereas, under and by virtue of the By-laws of the said Corporation relating to the Common Sewers, it is among other things enacted that the owner or occupier of any property fronting on a Common Sewer and drained or required to be drained into such sewer may commute for the payment of the annual rent for the use of such sewer by payment of the sum of fifty cents per foot frontage, for a brick sewer, or such sum as shall be equal to one-half the cost per foot frontage of a pipe sewer.

And whereas,....., of ..... is the owner of a parcel of land hereinafter described, situate on.....Street, in the City of Hamilton, opposite to a Common Sewer constructed in said street, which land is drained or is required by said By-laws to be drained into the said sewer.

And whereas, the said.....has applied to the said Corporation to be allowed to commute for the payment of the annual sewer rent imposed by this By-law, as therein provided.

Now, know ye that in consideration of the sum of.....dollars, now paid by the said .....to the said Corporation, the receipt whereof is hereby acknowledged, the same being in full for the said commutation of such annual sewer rent, license and permission is hereby granted to the said....., his heirs, executors, administrators and assigns to use the said common sewer for the purpose of draining the said premises for all time to come free of all rent or charge for such use thereof ; and also from time to time and at all times, but at his own expense, to connect the said premises with the said common sewer, subject, nevertheless, to the provisions of the By-laws of the said Corporation under which such connections are permitted.

## DESCRIPTION.

The parcel of land hereinbefore mentioned may be described as follows :

.....	Description of
.....	property.
.....	
.....	
.....	

**BY-LAW 55.** In witness whereof, the said Corporation of the City of Hamilton have hereto set their Corporate Seal under the hand of....., Esquire, Mayor of the said City, this.....day of....., A. D. 1 ..

Signed, Sealed and Delivered )  
in presence of )

(Receipt to be indorsed.)

Form of Receipt.  
Received from.....  
the sum of.....Dollars.  
the consideration for the within License.  
  
Dated this.....day of.....A. D. 1...  
.....City Treasurer.

Endorsement.  
  
THE CORPORATION  
OF THE  
CITY OF HAMILTON  
TO  
.....  
|||  
LICENSE  
|||  
To use the Sewer on  
.....Street.  
|||  
Dated.....day of  
.....A. D 18..

**BY-LAW No. 55.**

*On Water Works and Water Rates.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

Water rates and rents imposed.  
**1.** The several rates or rents enumerated in Schedule A, hereunto annexed, shall be imposed and levied for water supplied, or ready to be supplied, in the said city, from the Water Works of the said Corporation.



2. The said rates or rents shall be due and payable at the office of the Water Works, in four equal quarterly instalments, on the first days of January, April, July and October in each year.

**BY-LAW 55.**

When due and payable.

3. The said rates or rents shall be due and payable by the proprietors and occupants of all lands and all houses, stores, offices, buildings or parts of buildings held, let or occupied as separate tenements in the said City, supplied with water from the said Works, or which the said Corporation may be prepared or ready to supply with water, which said rates or rents shall be payable by all such proprietors, and occupants as well by those who refuse as by those who consent to receive, into their houses, stores or other buildings, the water pipe to supply the said water.

Proprietors and occupants liable for payment of rates and rents.

Rates may be charged where water not supplied

4. In the event of the non-payment of the water rates within the first fourteen days after the same are payable, there shall be added to all of such rates so in default, a penalty of 10 per cent. if paid between the fifteenth day of the month when payable and the first day of the next month ; a penalty of 20 per cent. if the rates are paid at any time during such next month, and a penalty of 25 per cent. if the rates are not paid until after the expiration of such next month ; but if the water rates are on real property valued at \$625, or less, and not having the water introduced, a penalty of 100 per cent. inclusive of all previous penalties, shall be added to the water rates which are not paid until after the expiration of such next month.

Penalty for non-payment of rates.

5. The expense of introducing the said water into the said houses, stores or other buildings, shall be borne by this Corporation, and the work performed by them ; but the expense of the distribution of the water through the said houses, stores, or other buildings, shall be borne and paid for by the said proprietors or occupants.

Expense of introducing the water to be borne by city.  
Expense of distributing the water inside of buildings to be borne by proprietors or occupants.

6. All plumbers' work in any house, store, office, building or part of building, must be done in a workmanlike manner, with good materials, sufficiently strong to resist the pressure of the water, and all taps used for the purpose of drawing or shutting off the water must be upon the compression principle, and be approved by the Council or the duly authorized agents or officers of the Corporation ; and should any of such work or materials be not approved by the Council, or by such agents or officers, it may and shall be lawful for the Committee on Water Works to turn off or refuse to turn on the supply of water, and the same rate or rent shall be charged as if the water was being used on the premises.

Plumbers work to be done in workmanlike manner.

If not approved water may be shut off.

7. It shall and may be lawful for the Committee on Water Works, whenever deemed advisable, to use water meters, and to refuse to supply water to any premises un-

Water meters.

**BY-LAW 55.**

Charges for water  
not to be less than  
under Schedule A

less the party requiring the water shall first sign an agreement to pay for such water according to Schedule A, hereunto attached. No meter shall be used by any person, unless authorized by the said Committee. Every owner, tenant or occupant of the premises shall give every facility for the introduction and protection of such meter. Whenever any person refuses to pay within the time specified in the said agreement for the water as registered by the meter, it shall, and may be lawful for the said Committee to cut off the supply, and in every such case to charge the same rate or rent, and collect as per Schedule A, for the water supplied, as if no meter had been used, and the premises thereafter shall be subject to the same rate or rent as if no meter had ever been introduced; and in all cases where the meter indicates that no water has been used, or that the charge for the water used would be less than the water rates under Schedule A, it shall and may be lawful to charge and collect the same rates as if no meter had been introduced.

In case of non-  
payment of rates  
or rents, water  
supply may be cut  
off.

8. In all cases of non-payment of any rates or rents imposed by this By-law, for twenty days after the expiration of fourteen days from the day upon which the same shall have become due and payable, the Council or the duly authorized officers of the Corporation may cut off the supply of water from any house, store, office, building or part of building, upon which the said rate or rent shall be due, which shall not prevent the said rate or rent from running as before, and the water shall not again be let on except upon payment of all arrears due.

Power to distrain  
for rates or rents.

9. The Corporation shall, in addition to any other remedy, have power to distrain for the said water rate or rent, upon the goods and chattels of the person who ought to pay the same, or upon any goods and chattels in his possession, wherever the same may be found; and until payment, the same shall be a lien upon the premises for which the same may be due, in the same manner as municipal taxes assessed on real estate are liens.

Street Watering  
Rates.

10. The rate for street watering shall no longer be kept separate, but shall be duly estimated and charged up in the roll as an extra and shall be included in the next quarterly account thereafter; and in entering said amounts in the roll or any other exceptional amounts which may not have a cipher or a five, in the unit column of the account, it shall be lawful for the clerks in the Water Works Office to write in the amount at the nearest amount which will attain the above result, that is, to omit one or two cents, and to increase three or four cents to five cents.

Collector of Taxes  
to collect rates  
and rents.

11. It shall be the duty of the Collector of Taxes to collect the water rates and rents and street watering rates hereinbefore mentioned, and pay the same over to the City Treasurer in the same manner as taxes are collected and paid.

**12.** Water shall be introduced into houses, stores, offices, buildings or parts of buildings, only upon the signature of the proprietors or their duly authorized agents, who shall sign an application for that purpose, according to the Schedule "B" hereto annexed.

**BY-LAW 55.**

Water to be introduced only on application of proprietors or their agents.

**13.** Notice in writing shall be given to the Water Works Committee, and their consent be first obtained, before any proprietor desiring to use the water for any bath, water closet, or other use requiring an additional supply of water, shall use such additional supply.

Persons requiring additional supply of water, to procure consent of Water Committee

**14.** No proprietor, tenant or occupant of any house, store, office, building or part of building, shall be allowed to supply water to other persons or families, without the consent of the said Committee.

Water not to be supplied to other persons or families.

**15.** No person shall use a hose or jet to wash carriages or horses, unless the same shall be approved by the said Committee.

Hose or Jets to wash carriages &c to be approved by Committee.

**16.** No person except the Chief Engineer or person authorized by said Committee shall tap or make any connection with the main distributing pipes.

Tapping main pipes prohibited.

**17.** All persons taking water must keep their own service pipes, and all fixtures connected therewith, in good repair, and well protected from frost, at their own expense, and must prevent all unnecessary waste of water.

House services and fixtures to be kept in good repair.

**18.** No person except the Firemen, for fire purposes, shall at any time let off or use any water from any hydrants, without the special permission of the said Committee.

No person except Firemen to turn on Hydrants without permission.

**19.** No person shall use any lawn sprinkler or other appliance for sprinkling or watering by pressure or direct supply from the City Water Works, any lawn, boulevard or garden, or any pavement, sidewalk or roadway, except between the hours of four and nine p. m.

Lawn Sprinklers hours, when use of permitted.

**20.** No person shall use any lawn sprinkler or other appliance for sprinkling or watering by pressure or direct supply from the City Water Works, any lawn, boulevard or garden, or any sidewalk, pavement or roadway, while any fire is in progress in the city, and upon any public alarm of fire being given every person using a lawn sprinkler or other appliance for any of the purposes aforesaid, shall forthwith shut off the water and cease using such lawn sprinkler or other appliance, and shall not resume the use thereof until the fire has been extinguished or the public signal has been given by the Fire Department that the fire has ceased.

Lawn Sprinklers to be shut off during any fire.

**21.** The duly appointed officers of this Corporation shall be allowed at all reasonable times and hours to enter

Officers of Corporation may inspect house services, &c.

**BY-LAW 55.** and inspect the services, taps, baths, water closets, and apparatus for the supply of water, in all houses, stores, and other buildings where the water has been introduced.

Penalty. **22.** Any person guilty of an offence under any one of the sections of this By-law numbered from 13 to 21 inclusive shall for every such offence be liable to a fine not exceeding twenty dollars, to be recovered on summary conviction before a Justice of the Peace or to imprisonment for a period not longer than one month in the discretion of such Justice.

SCHEDULE A.

Scale of Rates. Water rates or rents shall be payable upon the scale hereinafter set forth upon all lands and all houses, stores, offices, buildings, or parts of buildings held, let, or occupied as separate tenements, which are liable to water rates or rents under section 3 of this By-law, and are assessed on the last revised assessment rolls of the city, or specially assessed by the City Assessors for Water Works purposes, namely on property so assessed at

\$500 or less .....	\$ 4 40 per annum
Above \$ 501 and up to \$ 550 .....	4 60 per annum
Above 551 and up to 600 .....	4 80 per annum
Above 601 and up to 650 .....	5 00 per annum
Above 651 and up to 700 .....	5 20 per annum
Above 701 and up to 750 .....	5 40 per annum
Above 751 and up to 800 .....	5 60 per annum
Above 801 and up to 850 .....	5 80 per annum
Above 851 and up to 900 .....	6 00 per annum
Above 901 and up to 950 .....	6 20 per annum
Above 951 and up to 1000 .....	6 40 per annum
Above 1001 and up to 1050 .....	6 60 per annum
Above 1051 and up to 1100 .....	6 80 per annum
Above 1101 and up to 1150 .....	7 00 per annum
Above 1151 and up to 1200 .....	7 20 per annum
Above 1201 and up to 1250 .....	7 40 per annum
Above 1251 and up to 1300 .....	7 60 per annum
Above 1301 and up to 1350 .....	7 80 per annum
Above 1351 and up to 1400 .....	8 00 per annum
Above 1401 and up to 1450 .....	8 20 per annum
Above 1451 and up to 1500 .....	8 40 per annum
Above 1501 and up to 1550 .....	8 60 per annum
Above 1551 and up to 1600 .....	8 80 per annum
Above 1601 and up to 1650 .....	9 00 per annum
Above 1651 and up to 1700 .....	9 20 per annum
Above 1701 and up to 1750 .....	9 40 per annum
Above 1751 and up to 1800 .....	9 60 per annum
Above 1801 and up to 1850 .....	9 80 per annum



Above \$1851 and up to	1900	.....	\$10 00 per annum	BY-LAW 55.
Above 1901 and up to	1950	.....	10 20 per annum	
Above 1951 and up to	2000	.....	10 40 per annum	
Above 2001 and up to	2050	.....	10 60 per annum	
Above 2051 and up to	2100	.....	10 80 per annum	
Above 2101 and up to	2150	.....	11 00 per annum	
Above 2151 and up to	2200	.....	11 20 per annum	
Above 2201 and up to	2250	.....	11 40 per annum	
Above 2251 and up to	2300	.....	11 60 per annum	
Above 2301 and up to	2350	.....	11 80 per annum	
Above 2351 and up to	2400	.....	12 00 per annum	
Above 2401 and up to	2450	.....	12 20 per annum	
Above 2451 and up to	2500	.....	12 40 per annum	
Above 2501 and up to	2550	.....	12 60 per annum	
Above 2551 and up to	2600	.....	12 80 per annum	
Above 2601 and up to	2650	.....	13 00 per annum	
Above 2651 and up to	2700	.....	13 20 per annum	
Above 2701 and up to	2750	.....	13 40 per annum	
Above 2751 and up to	2800	.....	13 60 per annum	
Above 2801 and up to	2850	.....	13 80 per annum	
Above 2851 and up to	2900	.....	14 00 per annum	
Above 2901 and up to	2950	.....	14 20 per annum	
Above 2951 and up to	3000	.....	14 40 per annum	

Above \$3,000 and up to \$10,000 the increase in valuation shall be \$250 each step, with a corresponding increase of 60 cents extra for each \$250 increase in value.

Above \$10,000 and up to \$20,000 the increase in valuation shall be \$500 each step, with a corresponding increase of \$1.00 extra for each \$500 increase in value.

Above \$20,000 the increase in valuation shall be \$1,000 each step, with a corresponding increase of \$2.00 extra for each \$1,000 increase in value.

All properties assessed at an amount between two of the amounts above indicated shall be charged for water rate on the sum nearest that of the two amounts between which it comes

All lands and buildings assessed at \$625 or less and not having the water introduced, shall be specially noted by the assessors in their returns to the Water Works office, and the following rates shall be charged in place of those given above :

Property assessed at

\$200 or less.....	\$3 40 per annum
Above \$500 and up to \$540.....	3 50 per annum
Above 540 and up to 580.....	3 60 per annum
Above 580 and up to 625.....	3 75 per annum

Scale of Rates on  
Property Assessed  
for \$625 or less.

BY-LAW 55.

Extra and miscellaneous rates :

Scale of extra and miscellaneous rates.

Saloons and taverns (where water is introduced for bar purposes) valued at \$500 or under.....	\$ 7 00
Above \$ 500 and up to \$1000.....	10 00
Above 1000 and up to 3000.....	14 00
Above 3000 and up to 8000.....	18 00
Above 8000 as may be agreed upon.	

Bakers.. .....	from \$7 00 to \$15 00
Baths (private) .....	2 00
Baths (public) .....	6 00
Churches, each, per annum.....	6 00
Foundries, per annum.....	from \$5 00 to 35 00
Photograph Room, per annum.....	from 5 00 to 10 00
Stables, one horse .....	1 40
Stables, each stall in Livery Stables.....	1 60
Market Stables, per stall.....	0 60
Steam Engines, each horse power .....	1 00

Steam Engines, or by meter, 100 gals. 3 cents, or such special rates as may be agreed upon.

Breweries, distilleries, or other purposes not specially provided for at 3 cents per 100 gallons, or at such special rate as may be agreed upon.

Urinals .....	\$5 00
Fountain (private) \$8 00, or such further rate as may be fixed by the Water Works Committee.	

Water Closets,

WATER CLOSETS.

Pan Closets, with service box .....	\$ 3 00
For each closet with compression cocks, and without tank service, box or valve.....	10 00

Schedule "A" of this By-law is declared to have been in force from and after the second day of January, 1891.

Form of application for introduction of the City Water.

SCHEDULE B.

FORM OF APPLICATION

*For the Introduction of the City Water*

UNDER SECTION 12 OF THE FOREGOING BY-LAW.

*To the City Corporation :*

The undersigned hereby makes application for the introduction of the City water into the premises situated and described as follows :

**BY-LAW 56.**

Ward.	Street.	Street.	Lot	Sub-Lot.	No. on Roll

Description of premises.

I hereby certify that the following is a true description of the premises to be supplied :

Description of buildings.

Kind of Building.	No. of Stories.	Assessed Value.	Water Closet.	Baths.	No. Persons or Family.	No. Horses	Extras not Specified.

I hereby agree to pay water rates on the premises on the valuation fixed by the last revised assessment roll, or as specially assessed by the City Assessors for Water Works purposes.

Agreement.

..... Proprietor

Hamilton,.....

**BY-LAW No. 56.**

*For Establishing a Labor Bureau.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. A register shall be kept by the Relief Officer, in his office in the City Hall, of the names of all applicants for work, being *bona fide* residents of Hamilton, together with the address, age, occupation, and whether married or single, the number of persons depending on the applicants for support, and the length of residence in the city; such register to have columns ruled therein for shewing the number of days any such applicant may be employed in the city service and in what department, and to have an alphabetical index containing the names and registered number of all applicants for work, together with such printed forms, cards, etc., as may be found to be necessary.

Register of unemployed residents to be kept by Relief Officer.

**BY-LAW 56.**

Distribution of work to applicants to be regulated by Labor Bureau.

Constitution of Bureau.

City Corporation work to be given to applicants only except regular employees or experienced workmen.

Civic Departments to apply to Bureau for workmen.

Period for which men shall be employed.

Persons desirous of employing labor to be furnished with information by the Secretary of the Bureau.

Public notice to be given.

Secretary's salary

2. The distribution of work to the applicants so registered shall be regulated by a committee to be called the Labor Bureau, and to consist of the Mayor and the Chairmen of the Board of Works, and the Sewers, Fire and Water, Parks, and House of Refuge Committees, respectively, the Relief Officer to act as secretary of such Bureau.

3. After such Labor Bureau has been organized no city corporation work shall be given to any applicant, other than the regular employees, whose name has not been entered in the register above mentioned, except to such persons as, from their experience and their knowledge of the work, the head of the department may consider it more advantageous to employ for the particular work in hand.

4. The various civic departments requiring workmen shall make application therefor to the Labor Bureau, and shall not employ any laborers, outside of the permanent employees of the department, unless the Labor Bureau shall fail to furnish them when applied for, except such persons as are mentioned in the latter part of the last preceding section.

5. Of the men procured through the Labor Bureau, married men or men having others dependent upon them shall be given the preference, if competent for the work required, and shall be given not more than six days continuous work at a time, and single men, when employed, shall be given not more than three days continuous work at a time, and all men employed shall be changed in regular rotation.

6. All persons desirous of employing labor, and applying to the Labor Bureau, shall be furnished by the secretary with all desired information, and shall be permitted to examine the register and to obtain the names and addresses of all applicants for employment, and such other particulars as the register may afford or the secretary can give.

7. Public notice shall be given that persons desirous of employing labor, can obtain information as to those who want employment, by applying to the secretary of the Labor Bureau in the City Hall, and the Secretary shall keep a record of all persons who may request him to register them as desirous of employing labor.

8. The secretary of the Labor Bureau shall be paid at the rate of \$12.00 per month for his services as such secretary in addition to his salary as relief officer.



BY-LAW No. 57.

BY-LAW 57.

*To restrict the sale or gift of any intoxicating drink to children or apprentices.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No sale or gift of any intoxicating drink shall be made within the City, to any child or apprentice, without the consent of a parent, master or legal protector.

Intoxicating drink not to be sold or given to any child or apprentice.

BY-LAW No. 58.

*To limit the number of Tavern and Shop Licenses, and to fix the duty thereon.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. The number of Tavern Licenses to be issued in the City of Hamilton, shall not exceed seventy-five.

Tavern licenses, number to be issued.

2. The number of Shop Licenses for the sale of liquor, to be issued in the City of Hamilton, shall not exceed twenty.

Shop licenses, number to be issued.

3. Every shopkeeper holding a shop license for the sale of liquor shall confine the business of the shop for which he holds such license solely and exclusively to the keeping and selling of liquor.

Shop keeper to confine business of shop solely to keeping and selling liquor.

4. No shopkeeper holding a shop license for the sale of liquor shall sell such liquor in any other shop than that for which he holds such license.

Liquor not to be sold in any other shop than that for which he holds license.

5. The duty to be paid over and above the duties imposed by Sections 41 and 44 of the Liquor License Act shall be as follows : for each tavern license, \$50; for each shop license, \$50; and for each beer and wine license, \$50.

Duty to be paid over and above that imposed by the Legislature of Ontario.

6. Section 1 of this By-law is declared to have been in force from and after the 29th day of January, 1894. Section 2, from and after the 2nd day of March, 1894, and Section 5, from and after the 28th day of February, 1876.

Dates from which Sections 1, 2 and 5 in force.

## BY-LAW 59.

## BY-LAW No. 59.

*To provide for the protection of infant children.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

City Clerk to register applicants on production of certificate from Medical Health Officer.

1. It shall be the duty of the City Clerk to register in a book to be kept for the purpose, the name and situation of the house of every person who may apply to be registered under Chapter 258 R. S. O. 1897, on the production of a certificate from the Medical Health Officer that the house is suitable for the purpose for which it is to be registered, and the applicant is of good character and able to maintain, apart from their parents, any infants to be received at such house.

Medical Health Officer to inspect premises.

2. It shall be the duty of the Medical Health Officer, whenever an application is made to him for a certificate, to inspect the house and premises of the applicant; and, if in his opinion the house is a suitable one and the applicant is of good character and able to maintain the infants for which application to be registered is made, he shall grant a certificate to that effect.

Not more than one infant to be received for each 700 cubic feet contained in room or rooms.

3. In no case shall more than one infant be received into any registered house for each 700 cubic feet contained in the room or rooms in which such infant is kept and no more than four infants shall be received into any house for each female attendant in such house.

Inspection of houses by Medical Health Officer and Police.

4. All houses registered under the provisions of the said Chapter 258 R. S. O. 1897, shall be visited and inspected from time to time by the Medical Health Officer, or the Chief of Police or Police Constable of the City, who shall have power to enter the same and make the examinations and inquiries authorized by said Act.

City Clerk to provide forms.

5. The City Clerk shall provide and keep on hand all books, forms and other documents necessary to carry out the provisions of the said Act.

## BY-LAW No. 60.

## BY-LAW 60.

*To regulate Public Processions.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No procession or assemblage of persons shall meet together in any public street, square, park or other public place in the City, or walk, ride, drive or otherwise march through any of the streets or public places of the city, carrying or displaying any national, political, party or society flag or banner or other like emblem, unless they shall also carry and display in such procession or assemblage at or near the front thereof and in advance of any other flag or banner, either the Union Jack or the flag of the Dominion of Canada, which shall be as prominently and continuously displayed as any other flag or banner carried or displayed in such procession or assemblage.

Processions Union Jack or Dominion flag to be carried at head of.

2. Every person having any charge or management of such procession or assemblage, or of any part thereof, or being one of the marshals or officers therein, or carrying or having charge of any flag, banner or emblem therein shall, if neither the Union Jack nor the flag of the Dominion of Canada be carried and displayed, in the manner hereinbefore provided, in such procession or assemblage, be deemed to be guilty of a breach of this by-law, and be subject to the penalties imposed by By-law No. 68.

Persons having charge of procession to be responsible.

## BY-LAW No. 61.

*To prohibit the lending of City plant.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. No officer or employee of this City shall hereafter lend to any person or company any plant, machines, tools, implements or appliances belonging to the City Corporation.

City plant, machines or tools not to be lent.

## BY-LAW 62.

## BY-LAW No. 62.

*Respecting the use of the Council Chamber.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Council chamber regulations as to use of.

1. The Council Chamber shall not hereafter be used for any purpose except meetings of the Council or Committees thereof and meetings of electors for nominations for Mayor and other Corporation purposes.

## BY-LAW No. 63.

*To Abolish Statute Labor Tax.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

Statute labor tax abolished.

1. The yearly tax of \$1.00 to be paid in lieu of Statute Labor under Section 97 of the Municipal Act is hereby abolished.

## BY-LAW No. 64.

*To require the Hamilton Street Railway Company to use Fenders on all their Cars running through the City.*

Preamble.

WHEREAS under and by virtue of a By-law of this Council, passed on the 26th day of March, 1892, and numbered 624, permission was granted to the Hamilton Street Railway Company to construct and operate an electric street railway upon and along certain streets of the City, upon and subject to the condition amongst others; that the cars to be used on the railway should be propelled by electricity as a motive power, and should be run as this Council should provide, and it was by the said By-law reserved to this Council to make such further rules,



## BY-LAW 64.

regulations, orders and by-laws in relation to the operation of the railway as from time to time might be deemed necessary to protect the interest of the City, or to provide for the safety, welfare or accommodation of the public.

And whereas it is deemed by this Council to be necessary to provide for the safety of the public that the Company should use fenders on all their motor cars running through the City ;

Therefore the Council of the Corporation of the City of Hamilton hereby enacts as follows :

1. The Hamilton Street Railway Company shall on or before the first day of September, 1895, securely fix upon the front of each motor car used by the Company in the streets of the City, and shall use continuously upon each of such motor cars, so long as the same shall be running in any of the City streets, a fender of such form and construction and so placed upon the car as to prevent as far as possible the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact ; but this By-law shall not apply where by reason of a heavy fall of snow the use of a fender upon a motor car is rendered impossible or would obstruct the running of the car, or where, after an accident to a fender during a trip, the car carrying it is completing such trip.

Hamilton Street  
R'y Co. to use  
fenders on their  
cars.

Proviso.

2. For every breach of this By-law a penalty of not more than fifty dollars, exclusive of costs, may be imposed, and such penalty may be recovered and enforced with costs by summary conviction before the Police Magistrate or any Justice of the Peace for the City of Hamilton, and may be levied by distress and sale of the goods and chattels of the offending Company.

Penalty.

3. The penalty mentioned in the last preceding section hereof may be imposed for every day that any breach of this By-law may continue, and in respect of every motor car which may be operated by the Company in any street in the City, without having securely fixed upon the front of the car a fender of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact, but such penalty shall not be imposed in cases where this By-law does not apply, as provided in the exceptions contained in the first section of this By-law.

Penalty may be  
imposed for every  
day that any  
breach of the By-  
law may continue.

4. This By-law is declared to have been in force from and after the 10th day of June, 1895.

Date when  
By-law took effect.

## BY-LAW 65.

## BY-LAW No. 65.

*To require the Hamilton, Grimsby and Beamsville Electric Railway Company to use Fenders on all their Cars running through the City.*

Preamble.

WHEREAS under and by virtue of a By-law of this Council passed on the 31st day of October, 1893, and numbered 687, permission was granted to the Hamilton, Grimsby and Beamsville Electric Railway Company to construct and operate an electric street railway upon and along certain streets of the City of Hamilton upon and subject to the condition, amongst others: that the cars to be used on the railway should be propelled by electricity as a motive power, and should be run as this Council should provide, and it was by the said by-law reserved to this Council to make such further rules, regulations, orders and by-laws in relation to the operation of the railway as from time to time might be deemed necessary to protect the interests of the City or to provide for the safety, welfare or accommodation of the public.

And whereas it is deemed by this Council to be necessary to provide for the safety of the public, that the Company should use fenders upon all their motor cars running through the City.

Therefore the Council of the Corporation of the City of Hamilton hereby enacts as follows:

Hamilton,  
Grimsby and  
Beamsville  
Electric Railway  
Co. to use fenders  
on their cars.

Proviso.

1. The Hamilton, Grimsby and Beamsville Electric Railway Company shall on or before the first day of September, 1895, securely fix upon the front of each motor car used by the Company in the streets of the City of Hamilton, and shall use continuously upon each of such motor cars so long as the same shall be running in any of the City streets a fender, of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact; but this By-law shall not apply where by reason of a heavy fall of snow the use of a fender upon a motor car is rendered impossible or would obstruct the running of the car, or where, after any accident to a fender during a trip, the car carrying it is completing such trip.

Penalty.

2. For every breach of this By-law a penalty of not more than fifty dollars, exclusive of costs, may be imposed and such penalty may be recovered and enforced with costs by summary conviction before the Police Magistrate or any

Justice of the Peace for the City of Hamilton, and may be levied by distress and sale of the goods and chattels of the offending Company.

**BY-LAW 66.**

3. The penalty mentioned in the last preceding section hereof may be imposed for every day that any breach of this By-law may continue and in respect of every motor car which may be operated by the Company in any street in the City of Hamilton without having securely fixed upon the front of the car a fender of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact, but such penalty shall not be imposed in cases where this By-law does not apply, as provided in the exceptions contained in the first section of this By-law.

Penalty may be imposed for every day that any breach of the By-law may continue

4. This By-law is declared to have been in force from and after the 10th day of June, 1895.

Date when By-law took effect

## BY-LAW No. 66.

*Respecting shelters for Motormen.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

1. Every electric railway company operating its railway within the limits of this City shall provide proper and sufficient enclosed vestibules upon its street cars to protect the motormen and persons in charge of such cars during the months of November, December, January, February and March in every year, from exposure to cold, snow, rain or sleet, while engaged in operating the cars.

Electric Railway Companies to provide proper vestibules for motormen.

2. For every breach of this By-law a penalty of not more than \$50.00, exclusive of costs, may be imposed and such penalty may be recovered and enforced with costs by summary conviction before the Police Magistrate or any Justice of the Peace for the City of Hamilton, and may be levied by distress and sale of the goods and chattels of the offending company.

Penalty.

3. The penalty mentioned in the last preceding section hereof may be imposed for every day that any breach of this By-law may continue and in respect of every street car which may be operated by the company during the months of November, December, January, February or

Penalty may be imposed for every day any breach of By-law continues.

**BY-LAW 67.** March, without being provided with proper and sufficient enclosed vestibules to protect the motormen and persons in charge of such car from exposure to cold, snow, rain or sleet while engaged in operating the car.

If Company neglects to provide vestibules, City Engineer may provide.

Expense may be recovered by distress.

4. If any electric railway company shall neglect or refuse to comply with the provisions of this By-law the City Engineer may provide proper and sufficient enclosed vestibules upon any street car in accordance with the requirements of this By-law, at the expense of the company in default, and in the event of non-payment thereof by the company, such expense may be recovered by this Municipality by action or distress in like manner as municipal taxes, but nothing herein contained shall relieve any company guilty of a breach of this By-law from any penalty or penalties imposed by the preceding sections hereof.

## BY-LAW No. 67.

*For Exempting Manufacturing Establishments from Taxation on Machinery, Plant and Tools.*

**T**HE Council of the Corporation of the City of Hamilton enacts as follows :

Machinery, plant and tools exempted from taxation, except school rates for five years.

1. Every manufacturing establishment in the City of Hamilton, for the term of five years from the first day of January last, shall be exempt from taxation upon its machinery, plant and tools in actual use in the establishment, except as to school rates, but this exemption shall not extend to distilleries, breweries, railway, gas or electric light companies or to companies having privileges or powers upon the streets, or to printing companies.

Exemption not to extend to lands and buildings, nor to sewer rent nor to sewer or water rates.

2. The exemption herein provided for shall not extend to the lands or buildings occupied by or forming part of any such manufacturing establishment, nor to sewer rents or rates, or water rates, or to any other than rates for general purposes.

Not to diminish right to special exemption.

3. Nothing in this By-law contained shall take away or diminish any right to exemption which may have been expressly granted to any manufacturing establishment in the City by special by-law or resolution relating to such establishments, nor shall the exemptions here by granted extend to any manufacturing establishment which has for twenty years been exempt from taxation in whole or in part.



## BY-LAW No. 68.

## BY-LAW 68.

*Respecting Penalties.*

THE Council of the Corporation of the City of Hamilton enacts as follows :

1. Any person who has been elected or appointed to any office in the Corporation and who neglects or refuses to accept such office, unless good cause is shewn therefor, or to take the declaration of office and afterwards neglects the duties thereof, shall be liable to a fine or penalty not exceeding \$50, exclusive of costs.

Penalty for persons elected or appointed to office who neglect or refuses to accept such office.

2. Any person guilty of a breach of any by-law of this Corporation shall, where no other penalty is imposed by such by-law, be liable to a fine or penalty not exceeding \$50, exclusive of costs.

Penalty for breach of any By-law, where no special penalty is imposed

3. All such fines or penalties and costs may be collected by distress and sale of the goods and chattels of the offender, and in case of non-payment of the fine inflicted for breach of any such by-law, and there being no distress found out of which the same can be levied, the offender may be imprisoned in the Common Jail of the City of Hamilton, with or without hard labor, for any period not exceeding six months in the case of a by-law for the suppression of houses of ill-fame, and not exceeding, in other cases, twenty-one days, unless in any of the said cases the fine inflicted and costs (if any) including the costs of the distress and of the committal and conveyance of the offender to the Jail are sooner paid.

Collection of fines and costs.

Imprisonment of offender in default of payment of fine and costs.

4. All fines or penalties imposed under any by-law of this municipality shall, unless otherwise provided, be paid to the City Corporation.

All fines imposed under any By-law to be paid to City, unless otherwise provided.

5. Whenever it is directed by any By-law of this Council that any matter or thing should be done by any person or corporation, such matter or thing may, in default of its being so done by the person, be done at the expense of the person in default, and the expense thereof may be recovered by this Corporation, with costs, by action or distress ; and in case of nonpayment thereof, the same shall be recovered in like manner as municipal taxes.

Cost of any work done by City in default of person, how collected.



# Appendix—Part 1.

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## BY-LAWS

—OF THE—

## CITY COUNCIL

*Relating to Franchises.*

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- (a) Hamilton Street Railway Company.
- (b) Hamilton & Dundas Street Railway Company.
- (c) Hamilton Radial Electric Railway Company.
- (d) Hamilton, Grimsby & Beamsville Electric Railway Company.
- (e) The Bell Telephone Company.
- (f) The Cataract Power Company.

## BY-LAW 624.

## BY-LAW No. 624.

*Passed 26th day of March, 1892, Respecting the Hamilton Street Railway Company.*

Preamble.

WHEREAS the Legislature of the Province of Ontario, on the 29th day of March, 1873, passed an Act entitled "An Act to incorporate the Hamilton Street Railway Company," by which the Company are authorized and empowered to construct, maintain, complete and operate a double or single iron railway, with the necessary side tracks and turn-outs, for the passage of cars, carriages and other vehicles adapted to the same, upon and along such of the streets and highways within the jurisdiction of the Corporation of the City of Hamilton as the Company may be authorized to pass along, under and subject to any agreement to be made between the Council of the City and the said Company, and under and subject to any By-laws of the said City made in pursuance thereof, and to take, transport and carry passengers and freight upon the same by the force or power of animals or such other motive power as they may be authorized by the Council of said City by by-law to use, and to construct and maintain all necessary works, buildings, appliances and conveniences connected therewith, and full power is given to the Directors to make all by-laws for the management of the Company, and also for the entering into arrangements and contracts with the City.

And whereas the said City and the said Company are by the said Act respectively authorized to make and enter into any agreement or covenant relating to the construction of the said railway ; for the paving, macadamizing, repairing and grading of the streets and highways ; and the construction, opening and repairing of drains or sewers ; and the laying of gas and water pipes on the said streets and highways ; the location of the railway, and the particular streets along which the same shall be laid ; the pattern of rail ; the time and speed of running of the cars ; the time within which the works are to be commenced ; the manner of proceeding with the same, and the time for completion ; and generally for the safety and convenience of passengers, the conduct of the agents of the Company, and the non-obstructing or impeding of the ordinary traffic.

And whereas the said city are by the said Act authorized to pass any By-law or By-laws, and to amend, repeal or enact the same for the purpose of carrying into effect any such agreements or covenants, and containing all such necessary clauses, provisions, rules and regulations for the



conduct of all parties concerned, including the Company, and for the enjoining the obedience thereto, and also for the facilitating the running of the Company's cars, and for regulating the traffic and conduct of all persons travelling upon the streets and highways through which the said railway may pass.

BY-LAW 624.

And whereas the City Council, by By-laws passed respectively on the 22nd day of December, 1873, the 27th day of November, 1882, and the 13th day of February, 1888, conferred certain rights and privileges upon the Hamilton Street Railway Company, subject to the conditions contained in such By-laws, and it was thereby provided that the privileges granted to the Company should extend for a period of twenty years from the 22nd day of December, 1873, but that at the expiration of said period the Corporation of the City of Hamilton might, after giving six months' notice prior to the expiration of the said term, of their intention, assume the ownership of the said Railway and all real and personal property in connection with the working thereof, on payment of their value to be determined by arbitration.

And whereas it is by the said By-laws provided that the cars to be used on the said Railway shall be drawn by horses or mules only, and the Company are now desirous of constructing an electric street railway in place of their present railway, and it has been agreed between the said Street Railway Company and the City Corporation that the said By-laws shall be repealed and the agreements relating thereto terminated and that a new By-law and agreement shall be substituted therefor.

The Municipal Council of the City of Hamilton hereby enacts as follows:

1. The consent, permission and authority of the Corporation of the City of Hamilton is hereby granted to the Hamilton Street Railway Company to construct, maintain and complete an electric street railway, consisting of double tracks with necessary cross-overs, or single tracks with necessary turn-outs or switches upon and along the streets of the City of Hamilton hereinafter mentioned, and to erect all necessary poles and wires and overhead construction along such streets for the completion of the Railway on the trolley system, and to operate such Railway by running cars thereon by means of electricity as a motive power during the term hereinafter specified upon and subject to the conditions and agreements hereinafter mentioned or contained.

Permission and authority to construct an electric street railway.

2. The Streets referred to in the last preceding paragraph, and to which the permission and authority thereby granted shall extend are, Stuart Street, Bay Street (North

Streets upon which Company may build their railway.

**BY-LAW 624.** of Stuart Street), James Street, York Street, King Street, Herkimer Street, Barton Street, Burlington Street, Sherman Avenue, Locke Street, Main Street from Locke Street to Margaret Street, Margaret Street, Napier Street, Queen Street, Gore and Robert Streets between James and Hughson Streets, Vine and Mulberry Streets between James and Macnab Streets, and Guise Street east of James Street and such other Streets as may from time to time be fixed and determined by any By-law of the City Council.

(Note.)

*(Section 2 is amended by By-law 754, passed 24th September, 1894)*

Rights conferred on the Company not to prevent crossing of railways by other railways.

**3.** The rights conferred upon the said Street Railway Company by this By-law, and the agreement to be executed in pursuance hereof, shall in no case be taken to prevent the said City Council, or their grantees, from crossing the railways of the said Company by other railways traversing other streets in which privileges may be granted consistently with the terms of this By-law, but such right to cross the same is hereby expressly reserved:

Rails to be laid on centre of street.

Gauge of railway.

Style of rail.

Rails to be laid flush with surface of street.

**4.** Such Railway shall be so laid down that the outer rails on both sides shall as nearly as possible be at an equal distance from the centre of the street, except on King Street, between Hughson and Mary Streets, and each track shall be of the gauge of four feet eight and one-half inches, so as to accommodate the most common width of carriage wheels, and shall be made with such rail as shall be approved of by a majority of the said Council, expressed by resolution in writing, and laid in such manner as shall least obstruct the free and ordinary use of the Streets and the passage of vehicles and carriages over the same; and the upper surface of the rails shall be laid flush, as nearly as practicable, with the surface of the streets, and shall conform to the grades thereof, as now established, or as they shall from time to time be re-established or altered; and in case of grading, paving or otherwise, if it be necessary to re-lay said rails, the same shall be done at the expense of the said Railway Company, and the whole of such work shall be done and completed to the satisfaction of a majority of the said Council.

Space between rails to be kept in repair by the Company.

Materials to be supplied by the City.

**5.** The space between the rails to be laid for the Railway, upon any paved or macadamized street, and for two feet outside of such rails, shall be by the said Company, and under the direction of and as required by the Board of Works in and for the said City, constructed and kept in repair with such suitable material as the said Board of Works may from time to time direct (the materials therefor to be supplied by or at the expense of the said City Corporation), and all dirt and filth caused by repairs to the said railway track shall be removed therefrom by the Company as may be directed and required by the said Board of

Works, and the said Company shall also construct and keep in good repair crossings of a similar character to those adopted by the said City Council within the limits aforesaid, at the intersection of every such railway track and crossing thereof.

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Street crossings to be kept in repair by Company.

6. The space between the rails laid by the said Company upon any street not paved or macadamized, shall be well macadamized to the depth of six inches with good hard stone, or other material suitable for that purpose, and a plank of oak or other hardwood at least eight inches wide and properly sloped off, shall be placed outside of the rail and thoroughly fastened, so as to form as slight an impediment as possible to the passage of waggons, carriages and other vehicles over the same; and such macadamizing and planking shall be continually kept up by the said Company, the materials for such macadamizing being supplied by or at the expense of the said City Corporation.

Space between rails, on streets not paved, to be macadamized.

Hardwood planks to be placed outside of rails.

Macadamizing and planking to be kept up by Company.

7. During the operation of laying the rails, a free passage for carriages and vehicles over the street shall be kept open, and immediately after the rails shall have been laid, the paving and macadamizing and other material necessarily removed in laying the same, shall be replaced in a good and substantial manner as before such removal, and the surface of the streets shall be made flush with the rail; no portion of the surface of the streets shall be kept broken or disturbed for a greater time than one week, and all surplus street material shall be carefully removed by the said Company and deposited in such place or places as may be directed by the city officer having charge of the repairs of the streets.

Streets to be kept open during construction of railway.

Rails to be laid flush with street.

8. The construction of the said Electric Street Railway shall be commenced forthwith after the passing of this By-law, and the railway shall be completed and the electric cars running thereon throughout the whole length of the Company's present system, except on Main and Burlington Streets, within six months from this date, and a connecting line from Herkimer Street to the Grand Trunk Railway Station on Stuart Street, by way of Locke, Main, Margaret, King, Locke, Napier or York, Queen and Stuart Streets, and a connecting line from King to Barton Streets by way of Burlington Street or Sherman Avenue, shall be completed and the electric cars running thereon within two years from the passing of this By-law.

Time for commencing and completing railway.

*(Sec. 8 is amended by By-law No. 754, passed 24th of Sept., 1894.)*

(Note.)

9. And it is hereby expressly declared that the Corporation of the City of Hamilton shall not be held liable to the said Street Railway Company for any damage the said Company may incur or sustain from the breakage of any

City not to be held liable for damages

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sewer or water pipe, or for any delay that may be caused by the construction of sewers, the laying of water pipes, or the necessary repairing of same, or from any other delay or damage that may be caused by freshets, fire, or otherwise, or from repairs, changes or improvements in the streets.

Rights of other Companies not to be affected by privileges granted

Railway to be laid down subject to rights of City and other companies without claim for damages.

**10.** All rights now or that may hereafter be vested in the said City Corporation, or in any Gas Company, Telephone, Telegraph, Electric Light, or other Company, in respect to the care and improvement of the streets, the construction of sewers, culverts or drains, and the laying of water or gas pipes therein, or the placing of poles or wires, are in no way to be affected or impaired by any privilege that may be granted to the said Company; but the said Railway must be laid down and maintained, subject to the rights of the said City Corporation, and the said Companies to take up, alter, repair or remove sewers, water and gas pipes, and to place poles and wires, and subject to all other purposes within the province and privilege of the said Corporation of the City of Hamilton, without claim for damages against the said Corporation or any of the said Companies, and the said City Council expressly reserve to themselves the right to hereafter lay down or permit to be laid down in the said streets, gas or water pipes, or sewers, and place or permit the placing of poles and wires and to alter, improve and repair said streets whenever the public or private convenience may require.

Space between rails on paved street to be kept in repair by company, the City providing the materials.

**11.** Whenever it shall be deemed necessary to pave any street occupied by the railway track of the said Company, that portion of such street embraced between the outer lines of the rails of such tracks, switches, and turnouts, shall in the first instance, be paved by and at the expense of the said City Corporation; but thereafter, during the continuance of this grant, the same shall be kept in repair, to the satisfaction of the Board of Works by the said Railway Company, the material for such repairs to be supplied at the expense of the City.

The Company to be liable for all damages.

The Company to indemnify the City against damages.

Guard wires.

**12.** The said Railway Company shall be liable for any loss or injury that any person may sustain by reason of any carelessness, neglect or misconduct of their agents or servants, in the management, construction or use of their railway; and the said Company shall indemnify and hold the said Corporation of the City of Hamilton harmless from any damage that may be claimed by property holders, or by any person or persons on account of the laying of their tracks or the use thereof, or the running of cars thereon, and shall indemnify the City against all damages, actions, costs and expenses they may pay, incur, or be put to by reason of any danger or injury from any electric system adopted by the Company, and shall by the use of guard wires or other sufficient means protect all the City fire alarm wires



and all telegraph or telephone wires from contact with the electric wires which may be used by the Company for the working of the railway.

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**13.** No part of said Railway shall be opened to the public, or put in operation, until the sanction of this Council has been previously obtained by means of a special resolution to that effect, and such sanction shall only be granted upon a certificate from the City Engineer, or other officer especially appointed by the said Council for that purpose, declaring the said Railway to be in good condition and constructed conformably to the conditions prescribed by this By-law on that behalf.

Railway not to be open to public until sanction of Council is obtained.

**14.** The said Company shall place and continue on said Railway good cars with all the modern improvements for the convenience and comfort of passengers, including lighting and heating, and they shall run cars thereon as the public convenience may require, under such directions as the City Council may from time to time prescribe, and no permanent business signs shall be carried on the outside of the cars for advertising purposes.

Cars to be good, with modern improvements.  
To be run as public convenience requires.  
Not to carry permanent business signs, outside.

**15.** The privileges granted by this By-law shall extend until the 22nd day of December, 1913, but at the expiration thereof, the Corporation of the City of Hamilton may, after giving six months notice prior to the expiration of the said term of their intention, assume the ownership of the railway, and all real and personal property in connection with the working thereof, on payment of their value, to be determined by arbitration; and in case the said Corporation should fail in exercising the right of assuming the ownership of the said Railway at the date aforesaid, the privileges granted by this By-law shall continue, but the said Corporation may, at the expiration of every five years to elapse after the said date, exercise the same right of assuming the ownership of the said Railway and of all real and personal estate thereto appertaining, after one year's notice, to be given preceding the expiration of every fifth year as aforesaid, and on payment of their value, to be determined by arbitration; and any arbitration under this clause shall be subject to the provisions of the Municipal Act and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration; and in any such arbitration the valuation of the Company's property shall be made upon the basis of the actual value thereof, without regard to the way in which it is being used and employed or the net revenue received therefrom, and any contribution made by the City to the cost of the Railway shall be taken into consideration.

Date when privilege expires.

City may assume ownership of railway upon giving six months notice after 22nd Dec. 1913.

If no notice given privilege to continue for five years.

City to then give one years notice of intention to assume ownership.

Value of railway to be determined by arbitration.

Basis of valuation.

*(Sec. 15 is amended by By-law No. 955, passed 13th Sept., 1898.)*

*(Note )*

**BY-LAW 624.**

If Company fail to keep streets in good repair, City may do the work and collect cost.

**16.** In case the said Railway Company shall fail to keep the streets in which their railway shall be laid, in good repair, according to the provisions of this By-law, and shall neglect to make such repairs for two days, after notice in writing from the City Engineer, Street Commissioner, or other officer having supervision of repairs of streets, served upon the President, Secretary, Superintendent, or other managing officer of the said Railway, specifying the repairs, then, and in such case, the City Corporation shall have the right to cause such repairs to be made, and to collect the cost thereof from the Railway Company.

Snow or ice to be removed by Company.

**17.** Whenever it shall be necessary to remove any snow or ice from the track or tracks of the said road, the same shall be removed by the said Company in such manner, and so evenly spread on the street as not to obstruct the free passage of sleighs or other vehicles along each street, or in crossing the same at or upon cross streets, and if such snow or ice shall not be so removed and evenly spread by the Company when required by notice in writing from the City Engineer, Street Commissioner, or other officer having charge of the Streets, it may then be removed or evenly spread by the City Corporation, who shall be entitled to collect from the Railway Company the cost of such work. The use of salt for the purpose of removing snow or ice from any of the said tracks is hereby prohibited.

Use of salt prohibited.

*(Section 17 repealed and new section substituted by By-law No. 955 passed 13th September, 1898.)*

(Note.)

Majority of Directors to be residents of Hamilton or County of Wentworth.

**18.** It is expressly provided hereby that a majority of the Directors of the said Railway Company shall at all times be residents of the said City of Hamilton or County of Wentworth.

Specifications and regulations.

**19.** The following specifications, regulating the running of the said Street Railway, shall be observed by the said Company :

Motive power to be electricity.

(a) The cars to be used on the said Railway shall be propelled by electricity as a motive power, and shall be run as the said Council shall provide, as often as public convenience shall require or the said Council prescribe.

Hours when cars are to run.

(b) The said Council shall have the right to require that the cars shall commence running as early as six o'clock a. m. of each day in the year (Sundays excepted) and continue running until eleven p. m.

Fares to be charged.

(c) The said Company may charge and collect from every person on entering any of their cars or carriages, for riding any distance on their Railway, in the same continuous route, a sum not exceeding five cents, except children under five years of age, accompanied by parents or other

person having charge of them, such children to ride free, provided they do not occupy seats, and the Company shall grant transfers without additional charge for all continuous trips which are not returns, and shall issue workmen's tickets at eight for 25 cents, good during the following hours namely: 6.30 to 8 a. m., 11.50 a. m. to 1.50 p. m., 5.15 to 6.30 p. m., and shall also carry children between five and twelve years of age for a cash fare of three cents, or give ten children's tickets for 25 cents, and also carry free of charge all police constables in uniform and all city detectives wearing badges.

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Transfers.

*(Sub-section "c" is amended, by By-law No. 955, passed 13th September, 1898.)*

(Note)

(d) The said Company may also charge a reasonable compensation for carrying packages.

Company may charge for carrying packages.

(e) Cars running in the same direction or in opposite directions on the same track shall not approach each other within a distance of 100 feet, except in case of accident, or when it may be necessary to connect them together and also except at stations and turnouts; and the rate of speed of all cars shall be subject to the direction of the City Council from time to time.

Cars not to approach each other on same track nearer than 100 feet.

Rate of speed.

(f) While the cars are turning the corners from one street to another they shall be run at the rate of not more than four miles an hour.

Rate of speed turning corners.

(g) No cars shall be allowed to stop on a cross walk or in front of any intersecting street, except to avoid collision or to prevent danger to persons in the streets, or other sufficient cause; nor shall any car be left or remain standing on any street at any time unless the same is waiting for passengers.

Cars not to stop on crosswalks.

(h) There shall be not less than two men in charge of each car, and when any car is stopped at the intersection of streets to receive or leave passengers, it shall stand so as to leave the rear platform slightly over the crossing.

Two men to be in charge of car.

*(Sub-section "h" is amended by By-law No. 955, passed 13th September, 1898.)*

(Note)

(i) It shall be the duty of the Company to employ careful, sober and prudent conductors to take charge of their cars while on the road, and it shall be the duty of such conductors, so far as may be practicable, to keep a vigilant watch for all teams, carriages and persons on foot, and especially children, either upon the track or moving towards it; and on the first appearance of danger the car shall be stopped in the shortest time and space possible.

Conductors to be careful, sober and prudent.

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Passengers not to enter or leave cars while in motion.

(j) The conductors shall not allow any passengers to enter or leave the car while in motion.

Signal lights.

(k) The cars, after sunset, shall be provided with coloured signal lights of a different colour for each route, and a bright head light on every car, and each car shall have a gong attached to it which shall be kept ringing at all times when approaching a crossing or when necessary to give warning.

Persons may travel on tracks.

(l) It shall and may be lawful to and for all and every person and persons whatsoever, to travel upon and use the said tracks with their vehicles, loaded or empty, when and so often as they may please, provided they do not impede or interfere with the cars of the said Company running thereon.

Cars entitled to tracks.

(m) The cars shall be entitled to the track, and any horse or vehicle upon the track of said Company shall turn out when any car comes up, so as to leave the track unobstructed, and any one placing an obstruction on the track except as authorized by this By-law, or the driver of any vehicle refusing to turn out when requested by the conductor of any car shall be liable to a penalty not exceeding ten dollars and the costs of prosecution on conviction before the Police Magistrate, and such penalty may be imposed for every day that such obstruction may continue, but the imposition of any penalty under this By-law shall not relieve the persons causing such obstruction from liability for damages or from any other penalty imposed by law; but if any person or persons shall have any cause to remove any building or any large or heavy substance, such person or persons shall be allowed reasonable and sufficient time to remove, load or unload the same, without being liable to the penalty attached by this section, provided that any person or persons before removing any building along or across the Railway Track shall first obtain the consent in writing of the City Engineer or Street Commissioner for such removal.

Penalty for refusing to turn out when requested.

Proviso.

Persons moving buildings to obtain consent of City Engineer.

Employees hours of work.

(n) The persons employed in running the Company's cars shall not be required by the Company to work more than ten hours each out of every twenty-four hours, and any employee working longer than ten hours shall receive extra pay at the rate of 25 cents per hour.

(Note.)

*(Sub-section "N" is amended by By-law No. 955, passed 13th September, 1898.*

Penalty for Conductors &c Collecting more than prescribed fare.

(o) Any conductor or other employee who shall collect of any passenger more than the fare prescribed by this By-law shall, on conviction thereof in the Police Court, pay a fine of not less than five dollars for each offence.



**BY-LAW 624.**

Ticket sale of

Six tickets for  
25 cents.Number and route  
to be painted on  
outside of car.Power of  
City Council to  
make such further  
rules, regulations,  
and orders as may  
be deemed  
necessary.Should Company  
default in con-  
struction or oper-  
ation of railway  
or in payments to  
City- privileges to  
be forfeited.

(p) The said Company shall keep tickets for sale at some place in the business portion of the City, convenient, for the people, and also upon their cars, and they shall sell tickets to persons desiring the same at a rate not exceeding twenty-five cents for six tickets for fare to any point within the City Limits.

20. The Company shall also have painted in large plain letters on a conspicuous place on the outside of each car the number thereof, and the name of the route or street over which the car is to be run so that such name and number may be readily seen and read by day or night, and each person employed in running a car shall, when so employed, have his number conspicuously shown on the breast of his coat.

21. It is hereby reserved to the said City Council to make such further rules, regulations, orders, and by-laws in relation to the construction, repairs, and operation of the said Railway as from time to time may be deemed necessary to protect the interests of the said City, or to provide for the safety, welfare or accommodation of the public, but no alteration in these rules shall be made which shall have the effect of impairing the substantial rights of said Company.

22. Should the Company fail to complete said Railway and to commence running electric cars thereon within the time limited by this By-law, or should the said Company, within the time limited by this grant, neglect to run electric cars on said Railway, or any part thereof, after the completion thereof, for the accommodation of the public, as provided by this By-law, or by any rules or regulations of the said Council made in pursuance thereof, for the space of two successive months, or should the said Company make default for the space of four months in payment of any of the monies which may from time to time become payable by them under this By-law or the Agreement to be made in pursuance thereof, then the said Company shall forfeit all privileges and rights which they may have acquired by said grant or by the use or possession of said streets; and in such case the City of Hamilton reserve the right to cause all obstructions and materials placed in said streets by said Company to be removed therefrom, and the said streets to be put in good condition and repair as they were before said materials and obstructions were placed therein, and the expenses thereof shall be paid to the said City Corporation by said Railway Company; and the said City Council also in such case reserve the right to grant the same rights and privileges to any person or persons, Company or Companies, free from all charges or liabilities for damage on account thereof.

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Mileage rate to be paid City.

**23.** The Company shall pay to the City Corporation in quarterly payments during each year the sum of four hundred dollars per annum for every mile of single track, and at the same rate for every switch more than 100 yards long, and the sum of eight hundred dollars per annum for every mile of double track within the City Limits, such payment to commence from the date of the passing of this By-law, except as regards connecting lines hereinbefore mentioned from Herkimer Street to Stuart Street and along Burlington Street or Sherman Avenue, the mileage payment for which at the rates hereinbefore mentioned shall commence from the expiration of five years from the date of this By-law, and provided also that as to the Company's tracks on Barton Street from Wentworth Street to Eastern City Limits a rebate shall be allowed to the Company of one thousand dollars upon the mileage payable to the City under this clause.

Percentages to be paid City.

**24.** The Company shall also pay to the City Corporation quarterly during each year the following percentages on their gross receipts, and shall permit the City to examine their books quarterly to ascertain the true amount of such gross receipts, and also furnish a declaration from the President or a Director, and the Treasurer or Secretary verifying the amount thereof; on all receipts under \$125,000 6%, when the receipts reach \$125,000 6½% on the total gross receipts till they reach \$150,000; when the receipts reach \$150,000, 7% on the total gross receipts till they reach \$175,000; when the receipts reach \$175,000, 7½% on the total gross receipts till they reach \$200,000; when the receipts reach \$200,000, 8% on the total gross receipts. The Company to pay not less than \$10,000 for the first year, and not less than \$12,000 in any subsequent year as their total mileage payments and percentage of receipts. The first quarterly payment under this and the last preceding clause to be made at the expiration of three months from the passing of this By-law and the subsequent payments at the expiration of each succeeding period of three months.

Exclusive right of Company to construct their railway on the City streets subject to limitations and conditions.

**25.** The Company shall have the exclusive right to construct and operate street railways upon or along any of the streets of the City from the passing of this By-law till the 22nd day of December 1913, subject to the limitations and conditions contained in this By-law, and subject to the rights granted to the Hamilton and Dundas Street Railway Company, their successors or assigns or to any rights which may be granted to that Company their successors or assigns or respect of those portions of the streets now occupied by their Railway which are not inconsistent with the terms of this By-law, and to any rights which may be granted to the Hamilton Grimsby & Beamsville Railway, or any other Company, as limited or defined in the next succeeding clause hereof, and provided further, that if the Hamilton Street Railway Company shall neglect or refuse to com-

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mence the construction of any new line in the City within nine months after being requested after a two-thirds vote of the City Council to build such line, or shall fail to complete any such new line within one year from such request, the City may grant to any other Company the right to build such line.

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Forfeiture of right to use of streets.

*(Section 25 is amended by By-law No. 955, passed 13th September, 1898.)*

**26.** Nothing in this By-law contained shall prevent the City Corporation from granting to the Hamilton Grimsby and Beamsville Railway Company, or any other Company, the right to construct along Main Street to James Street an electric railway from Grimsby and Beamsville, provided that no trains or cars shall be run on any such railway until it has been completed to Winona, and that no trains or cars except through trains or cars to or from Winona shall be run thereon until the Railway has been completed to Grimsby Park, but that after such Railway has been completed to Grimsby Park and while and so long only as, it is being operated as a through road, with not less than twelve trains each way daily in Summer and ten trains each way daily during every other season between Grimsby and Beamsville, whichever may then be the Eastern terminus of the Railway and Hamilton, local trains may be run from the easterly limit of Bartonville to James Street, but no passenger trains or cars of, on or from such Railway shall be run upon any railway west of James Street, nor shall any cars or trains be run from the Hamilton and Dundas Street Railway east of Ferguson Avenue, except cars carrying Express matter from the Dominion or other Express Companies or cars carrying excursions to or from the Hamilton and Dundas Street Railway, and except also that construction trains may be run from the Hamilton and Dundas Street Railway east of Ferguson Ave. during the construction of the Hamilton Grimsby and Beamsville Railway. The Hamilton Street Railway Company are to remove their track from Main Street when notified by the City that the other Company are ready to construct their line along Main Street, and the Hamilton Street Railway Company shall have the right in the meantime to maintain and use their track on Main Street, and shall then have the right to run their cars over the Hamilton Grimsby and Beamsville track on Main Street until that Company are ready to operate their road. And it is hereby further provided that nothing in this By-law contained shall prevent the City Corporation from granting the use of any of the city streets for any railways which may be built from any point outside of the City limits, provided such grant shall be made subject to conditions which will prevent such railways from being used as competitors for local street traffic for the Hamilton Street Railway Company.

(Note )

Rights reserved by City as to other Companies.

Other Companies not to be competitors for local street traffic.



**BY-LAW 624.***(Note.)**Section 26 is amended by By-law No. 955.  
passed 13th September, 1898.)*

No new line or additional track to be built without consent of City Council.

**27.** No new line or extension or additional track shall be built by the Hamilton Street Railway Company on any of the city streets except under authority first obtained by By-law of the City Council.

Poles.

**28.** The poles to be used for the Company's wires on James Street, from Cannon Street to Hunter Street, and on King Street, from Bay Street to Mary Street, shall be of iron and of the most improved pattern, except where the Company shall use the poles of any Telegraph or Telephone Company, and the wooden poles used by the Company shall all be straight and perpendicular, and as nearly as possible, of the same shape and size, and shall be dressed and painted throughout, and all poles shall be placed on the sides of the street except on King Street, between Hughson and Mary Streets, where they shall be placed between the tracks, and all the poles of the Company shall be placed in such manner as to obstruct as little as possible the use of the streets for other purposes.

In cases of fire, wires of company may be cut and cars stopped running.

**29.** Where necessary in cases of fire the Chief Engineer or person in charge of the Fire Brigade shall have the right to cut or pull down any wires of the Company which obstruct the operations of the Firemen, or to direct that they shall be so cut or pulled down, and also to require the Company to stop the running of their cars to or near the building or buildings which may be on fire, and the City Corporation shall not be liable for any loss or damage thus caused.

Mileage exemption on new lines

**30.** Where the Company shall extend their lines over any streets not now occupied by them, in addition to the building of the connecting cross lines hereinbefore mentioned, the City Council shall have power by By-law to exempt such new lines, in whole or in part, for a period of not more than five years from the mileage payment of \$400.00 or \$800.00 per annum or to reduce the amount of such mileage payment.

Works of construction and repair and removal of snow and ice to be to satisfaction of City Engineer.

**31.** All works of construction and repair and of removal and spreading of snow or ice shall be done and all poles shall be placed under the supervision and to the satisfaction of the City Engineer.

Change in method of applying electricity in running cars.

**32.** If the City shall by a two-thirds vote of the Council request the Company to adopt any other method than the system first adopted by them of applying the electric power in running their cars, such other method shall be adopted by the Company at their own expense within two years after the passage of any such resolution of the Council, and the poles and wires and overhead con-



## BY-LAW 624.

struction used by them, so far as they may not be required for their new system, shall be removed by the Company within that time, provided that the Company shall not be obliged to make any change in the electric system first adopted by them before the expiration of five years from the passage of this By-law, or after the expiration of fifteen years from the passage of this By-law, and in the case of their being requested by the City Council to make any such change, they shall upon giving notice in writing of their intention to do so within two months after the passage of such resolution, have the right to appeal to a Board of Arbitrators, consisting of three persons, one of whom shall be named in the notice of appeal given by the Company and one shall be named by the City within two months after receiving such notice, and the third shall be appointed by the two so named, or in case of their failure, to appoint such third arbitrator within one month after the appointment of the City's Arbitrator, he may, upon application by either party after one weeks notice to the other, be appointed by a Judge of the High Court, and if such arbitrators, or the majority of them, declare by their award in writing, signed by them, that the request of the City Council is unreasonable, the Company shall not then be obliged to make the change except upon such terms as to contribution by the City to the cost thereof as the said arbitrators, or a majority of them, may by such award decide to be fair and just; and the City shall have the option of withdrawing their request or submitting a By-law for the assent of the electors, under the provisions of the Municipal Act, to authorize the necessary expenditure on their part for such change, and if such By-law be not assented to by the electors within three months after service on the City of a copy of the award, the request shall be deemed to be abandoned.

Arbitration.

33. This By-law, and the powers and privileges hereby granted, shall not take effect or be binding on the said City unless formally accepted by the said Railway Company within ten days after the passing hereof, by an agreement which shall legally bind the said Company to pay to the City Corporation the sums mentioned in this By-law, and to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and shall be approved by the City Solicitors, or one of them, and such agreement when so approved shall also be executed under the City Seal by the Mayor or Chairman of Finance and the City Clerk.

By-law not to take effect until agreement is executed by company.

34. The By-laws relating to the Hamilton Street Railway Company referred to in the preamble to this By law and all other By-laws inconsistent herewith, are hereby repealed, such repeal to take effect only upon and from the coming into force of this By-law and the agreement referred to in the last preceding paragraph hereof, but the Hamilton Street Railway Company shall be at liberty to run their

By-laws referred to in preamble and all other By-laws inconsistent herewith repealed

**BY-LAW 624.** cars with horses, subject to the conditions and regulations contained in this By-law as far as applicable until the expiration of six months from the passing of this By-law.

Passed this 26th day of March, A. D. 1892.

T. BEASLEY,  
*City Clerk.*

JOHN KENRICK,  
*Chairman.*

THIS AGREEMENT, made the 26th day of March, in the year of Our Lord one thousand eight hundred and ninety-two,

Agreement.

BY AND BETWEEN

THE HAMILTON STREET RAILWAY COMPANY, hereinafter called the "Company," of the first part

—AND—

THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the "City Corporation," of the second part.

Whereas by a By-law numbered 624, intituled By-law No. 624, respecting the Hamilton Street Railway Company, a copy whereof is hereto annexed, permission is granted by the City Corporation to the Company, upon certain conditions, provisoes and agreements therein set forth, to construct and run its Railway upon and along certain Streets of the City of Hamilton.

And whereas by the Act incorporating the Company, the City Corporation and the Company are respectively authorized to make and enter into agreements and covenants relating to the construction of the said Railway, and the other matters more particularly set forth in the said By-law.

Now therefore this agreement witnesseth, and the parties hereto do respectively covenant and agree to and with each other as follows :

The Company do hereby accept the said By-law, and agree with the City Corporation to pay the City Corporation the sums mentioned in the said By-law, and to perform, observe and comply with all the agreements, obligations, terms and conditions therein contained.

And whereas this agreement has been approved of by Francis MacKelcan, Esq, Q. C., one of the Solicitors for

the City Corporation, testified by his marking each page hereof "Approved" and adding his signature thereto, and the City Corporation do hereby agree to accept and do accept these presents, and declare the same to be the agreement required to be execute by the Company under the provisions of the said By-law, and that such By-law is therefore in full force and effect.

BY-LAW 754.

In witness whereof, the Company has caused its Corporate Seal to be hereto affixed under the hand of its President and Secretary, and the City Corporation has caused its Corporate Seal to be hereto affixed under the hand of the Chairman of the Finance Committee of the City Corporation duly authorized in that behalf and the City Clerk.

Signed,	B. E. CHARLTON,	
	<i>President.</i>	{ Hamilton Street Railway Company Seal. }
	T. B. GRIFFITH,	
	<i>Sec'y-Treas.</i>	
	ALEX. H. MOORE,	
	<i>Chairman of Finance.</i>	{ City of Hamil- ton, Canada. Seal. }
	T. BEASLEY,	
	<i>City Clerk.</i>	

Signed, sealed and delivered	}
in the presence of	
F. MACKELCAN.	
ALEX. C. BEASLEY.	

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### BY-LAW No. 754.

*Passed 24th Sept. 1894, to amend By-law 624 relating to the Hamilton Street Railway Company.*

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**W**HEREAS, the Hamilton Street Railway Company desire to abandon the right granted to them by said By-law 624 to construct their railway on Locke Street, north of King Street, and on Queen Street north of York Street, and on Stuart Street from Queen Street to Caroline Street, and propose to enter into an agreement with the City Corporation, a copy whereof is appended to this By-law.

**BY-LAW 754.**

Therefore the Municipal Council of the City of Hamilton enacts as follows :

Mayor authorized to execute agreement.

Right of company to construct railway on certain streets revoked.

1. The Mayor and City Clerk are hereby authorized to execute said agreement under the corporate seal of the said City upon receiving a duplicate thereof duly executed under the seal of the Hamilton Street Railway Company, and upon such execution of said agreement by both parties thereto so much of said By-law 624 as grants to the Hamilton Street Railway Company the consent, permission and authority of the Corporation of the City of Hamilton to construct, maintain and complete an electric street railway on Locke Street north of King Street, on Queen Street north of York Street and on Stuart Street from Queen Street to Caroline Street shall no longer remain in force, but shall thenceforth be repealed.

Rights of City not to be effected.

2. Nothing herein contained shall prevent the exercise by this Corporation at any time, with respect to the said portions of the streets hereinbefore mentioned, of the powers reserved in or conferred by Sections 21 and 25 of said By-law 624, or of any other powers contained in said By-law.

Passed this 24th day of September, A. D. 1894.

T. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

THIS AGREEMENT made the 24th day of September,  
A. D., one thousand eight hundred and ninety-four,

BETWEEN

Agreement.

THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the "City," of the first part,

—and—

THE HAMILTON STREET RAILWAY COMPANY, hereinafter called the "Company," of the second part.

1. It is hereby agreed between the City and the Company that the Company shall have the right to remove their tracks from Locke Street north of King Street, from Queen Street north of York Street, and from Stuart Street from Queen Street to Caroline Street in the said City, and that the Company upon such removal shall forthwith put that portion of said streets where said tracks were laid in



good repair to the satisfaction of the City Engineer, and it is further agreed that the rights of the Company and of the City, under By-law No. 624 in respect of the said portion of the said streets, shall be the same as if the said portions of said streets had not been specifically named in said by-law and the right to construct and operate a street railway thereon had not been thereby expressly granted by the City to the Company.

**BY-LAW 955.**

2. The Company hereby agree forthwith to extend their line on York Street from the present terminus thereof to the south gates of Harvey Park on York Street afore-said and to operate the same according to the terms of said by-law.

3. Save as herein expressly provided, the terms and conditions of said by-law and the agreement between the City and the Company thereto referring bearing even date therewith shall be and remain in full force, vigour and effect.

In witness whereof the Company has caused its corporate seal to be hereto affixed under the hand of its President and Secretary, and the City Corporation has caused its corporate seal to be hereto affixed under the hand of the Mayor and the City Clerk.

Signed, Sealed and Delivered in presence of  T. BEASLEY.	}	A. D. STEWART, <i>Mayor.</i>  T. BEASLEY, <i>City Clerk.</i>	{ Seal }
		B. E. CHARLTON, <i>President.</i>	{ Seal }
		J. B. GRIFFITH, <i>Sec'y-Treas.</i>	

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**BY-LAW No. 955.**

*Passed 13th Sept., 1898, to amend By-law 624 relating to the  
Hamilton Street Railway Company.*

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**W**HEREAS, the Hamilton Street Railway Company have applied for a re-arrangement of the terms of their agreement with the City Corporation, as set forth in

**BY-LAW 955.** By-law 624 of this Council, and it is expedient that the said terms should be re-arranged as hereinafter set forth :

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

**1.** Section 17 of said By-law is hereby repealed, and the following section is substituted therefor :

Sec. 17 of By-law 624, repealed.

Snow or ice, removal of, from tracks.

To be evenly spread by company so as not to obstruct traffic.

If City Engineer certifies removal unnecessary company not obliged to remove.

City Engineer or Officer in charge of streets to determine quantity of snow and ice to be removed.

If Company fails to remove snow and ice City may do the work and collect cost.

(17) Whenever it shall be necessary to remove any snow or ice from the track or tracks of the said Company's road, switches or turnouts, and from the spaces between such tracks, and for two feet outside of such tracks, or whenever the City Engineer, Street Commissioner, or other officer having charge of the Streets, shall direct the removal thereof, such snow and ice shall be removed by the Company in such manner as not to obstruct or render unsafe the free passage of sleighs or other vehicles along or across the street, and all snow and ice removed from the track or tracks of the Company or from the spaces between or alongside such tracks shall be forthwith carried away in sleighs or other vehicles by and at the expense of the Company to some other street or suitable place to be approved by the City Engineer, Street Commissioner, or other officer having charge of the streets, and which shall in his opinion be within reasonable distance of the street from which the snow or ice is removed, and as near thereto as practicable, and shall be there spread or deposited in such manner as the City Engineer, Street Commissioner, or other officer having charge of the streets shall direct ; but if the City Engineer shall certify under his hand at any time that in his opinion the carrying away of the snow or ice then upon the street is unnecessary, the Company shall not be obliged to carry it away, but such certificate shall not relieve the Company from any liability to the City Corporation or to others for accidents caused by snow or ice between or alongside the Company's tracks, and in removing snow or ice from their tracks the Company shall leave the surface of the snow between their tracks as much above the rails as it can be allowed to remain without impeding the operation of the railway. The City Engineer, Street Commissioner, or other officer having charge of the streets shall have power to determine what portion of the snow or ice upon any street has been removed by the Company from the spaces between or alongside their tracks and should be carried away by the Company under the terms of this By-law, and his direction or determination shall be final and the Company shall be bound thereby. If the Company shall at any time neglect or refuse to comply with any of the requirements or provisions in this clause contained with regard to the removal or carrying away or spreading of snow or ice, the City Corporation shall be at liberty to do the work which should have been done by the Company, and shall have the right to recover from the Company the

cost of such work, but nothing herein contained shall prejudice or diminish any other right or remedy which the City Corporation might have on account of any neglect or refusal on the part of the Company to comply with any of the requirements or provisions hereof. The use of salt for the purpose of removing snow or ice from any of the tracks is hereby prohibited.

**BY-LAW 955.**

Use of salt prohibited.

2. Sub-section *c* of section 19 is hereby amended by providing that limited tickets may be used from 5 to 6.30 p. m., instead of from 5.15 to 6.30 p. m., and by adding thereto the following: "and shall give to any child between five and fourteen years of age, when going to school, a ticket to go and return on the date of issue, for five cents, and shall carry, free of charge within the City, all City Firemen in uniform or wearing badges when going to or returning from a fire, and shall also carry the City Messenger free of charge when in uniform."

Limited tickets, hours for use of.

Children's tickets,

Firemen going to fires to be carried free.

City Messenger.

The Company shall put up inside each car in a prominent place at each end a notice stating the hours within which limited tickets may be used."

Company to post up notice when limited tickets can be used.

3. Sub-section (*h*) of section 19 of By-law 624 is hereby amended by inserting the word "motor" after the word "each," and by inserting the words "and an additional man in charge of each trailer" after the word "car" where it first occurs in said sub-section.

Number of men to be in charge of car.

4. Sub-section "*n*" of section 19 of by-law 624 is hereby amended by substituting therefor the following clause:

"*n*. The persons employed in running the company's cars shall not be required by the company to work more than ten hours each out of every twenty-four hours, or more than sixty hours in a week, and none of such employees shall be paid at a less rate than fifteen cents per hour, and no such employee working longer than ten hours in one day or sixty hours in one week shall be paid at a less rate than fifteen cents per hour for every hour he may work beyond ten hours in any one day or for any hours he may work beyond sixty in any week."

Employees hours of work.

Rate of wages.

5. Section 26 of said by-law is hereby amended by adding at the end thereof the words following:

Sec. 26, of By-law 624, amended.

"And if the City Council shall by by-law or resolution request the Company to allow its tracks to be used for the entrance of any such railway into the City of Hamilton the Company shall permit its tracks to be so used to some central point in the City, to be named by the City Council, upon such terms and conditions as to compensation and otherwise, as may be mutually agreed on between the Hamilton Street Railway Company and the City Corpora-

The Company to permit its tracks to be used by other railway upon terms to be agreed on, or as settled by arbitration.

**BY-LAW 955.** tion and the Company building such railway, or as shall be settled by arbitration between the companies in case the said Companies and the City Corporation cannot mutually agree, and shall be approved by the City Council. Any arbitration under this section shall be subject to the provisions of the Acts respecting arbitration and references which may from time to time be in force, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each of the Companies interested shall pay half the costs of arbitration.

Service to The  
Barton Incline  
Railway Station.

Twenty minute  
service.

**6.** The Hamilton Street Railway Company shall, during the months of April, May, June, July, August, September, October and November in each year during the continuance of the privileges granted by this By-law give a direct service over their railway in said City between the Hamilton and Barton Incline Railway Station in said City and the corner of King and James Streets by running one car continuously to and fro between the said two points every day, except Sunday, at intervals of twenty minutes from each of said points, that is to say, three trips each way every hour, commencing at 6.30 a. m. and continuing till 10.10 p. m.

Company to build  
a line on Went-  
worth St.

Service on Went-  
worth St,

Proviso.

**7.** The Hamilton Street Railway Company shall, within a reasonable time after the passing of this By-law, and in any event not later than the 20th day of May, 1899, construct and equip a line of electric road on Wentworth Street from its intersection with Wilson Street, formerly called Little Wellington Street, southerly to a point not more than 150 feet north of the north limit of the Toronto, Hamilton and Buffalo Railway Company's lands on Wentworth Street; and shall during the months of May, June, July, August, September and October in each year during the continuance of the privileges granted by this by-law, give a direct service on said line of road by running one car continuously to and fro on said line, every day, at intervals of twenty minutes, that is to say three round trips every hour, commencing at 8.00 a. m. and continuing until 10.30 p. m.; provided that the Company may, with the consent of the Council, at any time after the 31st day of October, 1901 permanently discontinue said service and take up the track or tracks and remove the wires and poles and other appliances, if they find that they are operating said line at a loss to themselves.

Mileage rate not  
to be paid on line  
on Wentworth St.

And it is hereby further provided that no mileage shall be payable upon the line mentioned in this section.

Franchise extend-  
ed till 1928.

**8.** Sections 15 and 25 of said By-law 624 are hereby amended by striking out the figures "1913" and substituting therefor the figures "1928."



9. This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said City unless formally accepted by the said Railway Company, within twenty days after the passing hereof by an agreement which shall legally bind the said Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and shall be approved by the City Solicitor, nor until the said Company shall have executed the agreements with relation to the Hamilton, Grimsby and Beamsville Electric Railway Company and the Hamilton Radial Electric Railway Company respectively, copies of which are hereunto annexed, and all of such agreements when executed by the Hamilton Street Railway Company shall also be executed under the City seal by the Mayor or Chairman of Finance and the City Clerk.

**BY-LAW 955.**

By-law not to take effect until agreements are executed by Company.

Passed 13th day of September, 1898.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

#### AGREEMENTS REFERRED TO IN THE FOREGOING BY-LAW.

THIS AGREEMENT, made the 13th day of September, one thousand eight hundred and ninety-eight,

BETWEEN

THE HAMILTON STREET RAILWAY COMPANY (hereinafter called the "Street Railway Company,") of the first part,

Agreement.

—and—

THE CORPORATION OF THE CITY OF HAMILTON (hereinafter called the "City Corporation,") of the second part.

Witnesseth that the Street Railway Company hereby agree with the City Corporation that the said Company will, at a proper season of the year for railway construction, and upon the request of the City Corporation and upon the Hamilton, Grimsby and Beamsville Railway Company entering into an agreement with the Street Railway Company to lease and work the line to be constructed as hereinafter mentioned for the whole period for which the privileges hereinafter mentioned are to be granted, forthwith construct and complete an electric railway track on Sherman Avenue from Main Street southerly to Maple Avenue,

**BY-LAW 955.** and will permit and allow the Hamilton, Grimsby and Beamsville Electric Railway Company, concurrently with the use thereof by the Hamilton Street Railway Company, to use such track as a connecting line between the Hamilton, Grimsby and Beamsville Company's lines on Maple Avenue and Main Streets respectively, so long as the privileges granted to the Street Railway Company by the by-laws of said City Corporation shall continue, upon and subject to such terms and conditions as to compensation and otherwise as may be mutually agreed on between the Street Railway Company and the City Corporation, and the Hamilton, Grimsby and Beamsville Electric Railway Company, or as shall be settled by arbitration between the companies in case the said companies cannot mutually agree, and shall be approved by the City Council; and in case the Street Railway Company shall not, subject to the conditions aforesaid, forthwith construct such connecting line, the said Grimsby Electric Railway Company may construct and use the same upon such terms and conditions as may be agreed on or settled and approved as aforesaid.

Arbitration.

Any arbitration under this agreement shall be subject to the provisions of the Acts respecting arbitration and references which may from time to time be in force, and the arbitrators shall have all the power of arbitrators appointed under the said Acts, and each of the companies interested shall pay half the cost of arbitration,

In witness whereof the said parties have hereunto affixed their Corporate Seals.

Signed, sealed and delivered in presence of	{	WM. GIBSON,	{
		<i>President.</i>	
A. P. KAPPELE,	{	JNO. A. BRUCE,	{ SEAL }
		<i>Director.</i>	
		J. B. GRIFFITH,	
		<i>Secretary-Treas.</i>	

T. BEASLEY,	E. A. COLQUHOUN,	{ SEAL }
<i>City Clerk.</i>	<i>Mayor.</i>	

THIS AGREEMENT, made the thirteenth day of September, one thousand eight hundred and ninety-eight, BY-LAW 955.

BETWEEN

Agreement.

THE HAMILTON STREET RAILWAY COMPANY (hereinafter called the "Street Railway Company") of the first part,

—and—

THE CORPORATION OF THE CITY OF HAMILTON (hereinafter called the "City Corporation") of the second part,

Witnesseth that the Street Railway Company do hereby release and discharge the City Corporation from all claims, demands and causes of action whatsoever for, or on account of or in any way arising out of the rights and privileges heretofore granted or permitted by the said City Corporation to the Hamilton Radial Electric Railway Company under City By-law No. 837, passed on the 13th day of April, 1896, or the agreement between the said Company and the City Corporation, dated the 10th day of May, 1898, referring to said By-law, or which may hereafter arise from the exercise by that Company of the rights and privileges so granted or permitted, provided that nothing herein contained shall prejudice or affect any cause or right of action (if any there be) which the said Company may have against the said Hamilton Radial Electric Railway Company, nor shall anything herein contained be construed as an admission that the Street Railway Company have any cause of action against the City Corporation in respect of the matters hereinbefore mentioned.

In witness whereof the said parties have hereunto affixed their Corporate Seals.

Signed, sealed and delivered in presence of  A. P. KAPPELE,	{	WM. GIBSON,	{
		<i>President.</i>	
		JNO. A. BRUCE,	
		<i>Director.</i>	{ SEAL }
		J. B. GRIFFITH,	
		<i>Secretary-Treas.</i>	

T. BEASLEY,	E. A. COLQUHOUN,	{
<i>City Clerk.</i>	<i>Mayor.</i>	{ SEAL }

BY-LAW 955.

THIS AGREEMENT, made the thirteenth day of September, one thousand eight hundred and ninety-eight,

BETWEEN

Agreement.

THE HAMILTON STREET RAILWAY COMPANY, hereinafter called the Company, of the first part,

—and—

THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the City Corporation, of the second part.

Whereas, by By-law number 624 of the said City Corporation passed on the twenty-sixth day of March, 1892, permission was granted by the City Corporation to the Company, upon and subject to certain conditions, provisoes and agreements in said By-law set forth, to construct, maintain and operate an electric street railway upon and along certain streets of the City of Hamilton. And whereas by By-law of said City Corporation passed on the thirteenth day of September, 1898, and numbered 955, further privileges were granted to the said Company upon and subject to certain conditions, provisoes and agreements set forth in said last mentioned By-law. And whereas by the Act incorporating the Company the City Corporation and the Company are respectively authorized to make and enter into agreements and covenants relating to the construction of the said railway and the other matters more particularly set forth in the said By-law.

Now this agreement witnesseth that the said parties do hereby respectively covenant and agree to and with each other as follows :

1. The Company do hereby accept the said By-law passed on the thirteenth day of September, 1898, and the powers and privileges thereby granted, and do hereby agree with the City Corporation to perform, observe and comply with all the agreements, obligations, terms and conditions contained in said last mentioned By-law, and also the agreements, obligations, terms and conditions contained in said By-law number 624 passed on the twenty-sixth day of March, 1892, as altered or modified by the said By-law passed on the thirteenth day of September, 1898.

2. And whereas this agreement has been approved of by Francis MacKelcan, Queen's Council, Solicitor for the said City Corporation, testified by his marking each page thereof "approved," and adding his signature thereto, the said City Corporation do hereby agree to accept and do accept these presents as being executed by the Company in accordance with the provisions of said By-law.



In witness whereof the Company have caused their corporate seal to be hereunto affixed under the hands of their President and Secretary, and the City Corporation have caused their corporate seal to be hereunto affixed under the hands of the Mayor of said City and the City Clerk.

Signed, sealed and delivered  
in the presence of

A. P. KAPPELE.

Wm. GIBSON,  
*President.*

JNO. A. BRUCE,  
*Director.* { SEAL }

J. B. GRIFFITH,  
*Secretary-Treas.*

T. BEASLEY,                      E. A. COLQUHOUN,                      { SEAL }

## BY-LAW No. 894.

*Passed 14th June, 1897, respecting the Hamilton and Dundas Street Railway Company.*

WHEREAS the Hamilton and Dundas Street Railway Company, under and by virtue of the statutes relating to the said Company, passed by the Legislative Assembly of the Province of Ontario, and By-law 129 of the Corporation of the City of Hamilton, passed on the 17th day of December, 1877, and under the agreement of the Company accepting said by-law are now operating their railway upon certain streets of the said city, and through the Townships of Barton and Ancaster to and in the Town of Dundas.

And whereas the said Company have resolved, if so authorized, to convert their said railway from a road operated by dummy steam engines to a road to be operated by electricity by means of the trolley system of motor cars.

And whereas the Company, to carry out their said intention, will require to a very great extent to rebuild their said railway and expend a large amount of money in such proposed conversion.

And whereas the said Company have petitioned the Municipal Council of the City of Hamilton that a new by-law should be passed and a new agreement entered into having regard to the said intended conversion of the said railway.

**BY-LAW 894.**

Therefore, the Municipal Council of the City of Hamilton hereby enacts as follows :

- Authority granted Company to construct an Electric Railway.

Route of Railway.

1. The consent, permission and authority of the Corporation of the City of Hamilton are hereby granted to the Hamilton and Dundas Street Railway Company to construct, maintain and complete an electric railway, consisting in part of a single track and in part of a double track, with such switches and turnouts as may be authorized in manner hereinafter provided, upon and along Main Street from the present easterly terminus of the said railway, then along the route of the said railway along the several streets occupied by them to the western city limits on Aberdeen avenue, and to erect all necessary poles and wires and overhead construction along such streets for the completion of the said railway on the trolley system, and to operate such railway by running cars thereon by means of electricity as a motive power, during the term hereinafter specified, upon and subject to the conditions and agreements hereinafter mentioned or contained.
- Single track to be laid on certain streets.

Double track may be laid on Aberdeen Ave. and Queen St.

Tracks to be placed in centre of streets.

Portions of streets occupied by tracks and for 2 ft. outside of rails to be kept in repair by Company.

Grant not to be taken as a surrender of Company's rights.

2. The single track of such railway shall extend from the said eastern terminus along Main, Macnab, Hannah and Queen Streets, along the present route of the said railway, and the said railway may be constructed with a double track, if the said Company so desire, along Aberdeen avenue from Queen Street westerly to the city limits; and in case the Company enter into an agreement with the Hamilton Street Railway Company for the use of their track along Herkimer Street to Queen Street the Company may, for the purpose of connecting their line therewith, construct a double track railway along Queen Street from Herkimer Street to Aberdeen Avenue. If the Company shall not lay a double track on Aberdeen Avenue from Queen Street to the City limits on or before the 1st day of October 1899, they shall, at their own expense, immediately thereafter remove their single track to the centre of the street and put in good condition for travel to the satisfaction of the City Engineer the portion of the street from which their track has been removed, and in the event of the Company building a double track railway on Aberdeen Avenue they shall lay the same and construct, make good and keep in repair the street occupied by their tracks and for two feet outside each rail in the manner provided by sections 5 and 6 of this by-law; and in the event of the City grading any part of Aberdeen Avenue before the double track is laid thereon, the Company shall not build such double track without the consent of the City Council to the use of such grading. The grant herein contained shall not be taken as a surrender of the rights, franchises and privileges heretofore granted by this Council to said Railway Company, but shall be construed as an extension and alteration of the said rights only.

3. The agreement as to the track of the Company on Main Street from the centre of James Street to the Grand Trunk track on Ferguson Avenue made between the said Company and the Hamilton, Grimsby and Beamsville Electric Railway Company, bearing date the eighth day of May, 1897, a triplicate of which has been deposited with the City Clerk, and a copy whereof is appended to this By law, is hereby ratified and confirmed, and the consent and permission of this Council is given thereto. A single track only shall be laid or maintained or be allowed to remain on that portion of Main Street, with such switches and turn-outs as may be reasonably necessary, and as shall be directed and approved in the manner provided by the fifth section of this By-law. No passenger trains or cars of, on or from the Hamilton, Grimsby and Beamsville Electric Railway shall be run upon the Hamilton and Dundas Street Railway west of James Street, nor shall any cars or trains be run from the Hamilton and Dundas Street Railway east of Ferguson Avenue, except cars carrying express matter for the Dominion or other express company, or cars carrying excursions to or from the Hamilton and Dundas Street Railway. No freight shall be carried east of Garth Street except in trolley cars or trailers similar to the Hamilton, Grimsby and Beamsville cars now used for that purpose. Nothing in this by-law contained shall prejudice or affect any rights granted by this Corporation to the Hamilton Street Railway Company under by-law numbered 624 of this Council.

**BY-LAW 894.**

Agreement with  
H. G. & B. Ry. Co.  
confirmed

Cars of H. G. & B.  
Ry. Co. not to run  
west of James St.

Proviso.

Freight to be car-  
ried in freight  
cars.

4. The rights conferred upon the said Hamilton and Dundas Street Railway Company by this by-law, and the agreement to be executed in pursuance thereof shall in no case be taken to prevent the said City of Hamilton, or their grantees, from crossing the railway of the said Company by other railways traversing other streets in which privileges may be granted consistently with the terms of this by-law, but such right to cross the same is hereby expressly reserved.

City rights to  
cross railway  
with other rail-  
ways reserved,

5. Such railway shall be so laid that the outer rails on both sides shall be at an equal distance from the centre of the streets, between the eastern terminus of the railway and the westerly side of Queen Street, and shall when the present rails are worn out be laid with girder steel rails for the whole of this portion of the line, and the switches and turn-outs thereon, such rails to be of the same weight and pattern as those used by the Hamilton Street Railway Company, in the laying of their new tracks, or of such other weight and pattern as may be approved by the City Council; and from the west side of Queen Street to the westerly city limits the railway shall be laid on such portion of Aberdeen Avenue as the City Engineer shall direct, and with a similar rail to that now in use for this portion of the line of said railway, or may be laid by the Company with

Style of rails.

<b>BY-LAW 894.</b>	such other rail as the City Council may approve ; the track,
Gauge of track.	switches and turnouts shall be of the gauge of four feet
Rails to be laid flush with streets.	eight and one-half inches throughout, and shall be laid in such manner as will least obstruct the free and ordinary use of the streets and the passage of vehicles and carriages over the same, and the upper surface of the rails for the whole line within the city limits shall be laid and main- tained flush with the surface of the streets, and shall con- form to the grades thereof as they shall be established by the profile and cross sections to be made by the City Engineer at the time such rails are laid, the Company to grade the streets to the full width of the roadway according to such profile and cross-sections, where the railway is so constructed that the remainder of the roadway needs to be raised or lowered to conform to the level of the railway, and to macadamize the same, at their own expense, to the full width that they were macadamized before the construction of the railway, and the Company shall also conform after- wards, at their own expense, to the grades of the streets as they may from time to time be re-established or altered, and where there is no change of grade the roadway should be macadamized according to such profile and cross-sec- tions and to the full width of the space between the rails and two feet outside of such rails on both sides of the track by and at the expense of the Company and to the satisfac- tion of the City Engineer, the material for such macadamiz- ing to be supplied by the Company at their own expense, except that the Company shall not be obliged to mac- adamize that portion of their line west of Queen Street until so directed by the City Engineer and supplied by the City Corporation with the material therefor ; the material to be supplied by the City Corporation shall be from time to time delivered by them when required by the Com- pany, at such place or places near to the works as may be reasonably convenient for the purposes of the Company ; and the whole of the works aforesaid shall be done and completed to the satisfaction of a majority of the Council ; and in all cases of construction or relaying, the switches and turnouts shall be laid in such manner at such places, and to such extent as the City Engineer shall, under authority to be specially given by the Council, direct and approve, and in case of grading, paving or otherwise if it be necessary to relay the said railway tracks or any of them, such work shall be done at the expense of the Railway Company and to the satisfaction of the City Council. Provided always that the City Corporation may forthwith or at any time prior to their grading and improving the said street fill up with macadam or other suitable ballast the space now vacant between the ties and the top of the rails of the said track and for such distance on each side of the rails as will be covered by a deposit of such macadam or ballast equal on the whole to a section ten feet in width by six inches in depth, and the Company shall forthwith pay to the City one-half the cost of such work as certified to by the City
Where necessary Company to grade streets.	
Company to con- form to street grades.	
Space between rails to be macad- amized by Com- pany.	
Proviso.	
Work to be done to the satisfaction of a majority of the Council.	
Relaying of switches, turnouts &c.	
Proviso.	
Access to premises on South Side of Aberdeen Ave. to be given by Company.	



Engineer. The Company agree that they will without delay fill up the space between the rails of their single track on Aberdeen Avenue and immediately outside the rails for a distance along the track of 100 feet in front of each residence or factory erected or to be erected on the south side of Aberdeen Avenue within the City limits so as to give convenient access with vehicles across the rails to such building and premises.

BY-LAW 894.

6. The space between the rails to be laid for the railway, upon any paved or macadamized street, and for two feet outside of such rails, shall be constructed and made good to the level of the surface of the rails by and at the expense of the Company, and shall be thereafter by the said Company and under the direction of and as required by the Board of Works in and for the said City, maintained and kept in repair to the level of the surface of the rails with such material as the said Board of Works may from time to time direct, the materials therefor to be supplied by or at the expense of the said City Corporation, and all dirt and refuse caused by repairs to the said railway track shall be removed therefrom by the Company as may be directed and required by the said Board of Works or the City Engineer, and the said company shall also construct and keep in good repair crossings of a similar character to those adopted by the said City Council at the intersection of every such railway track and crossing thereof, such crossings to be laid and kept in repair by the Company from curb to curb, the City Corporation supplying all material therefor.

Space between the rails and two feet outside to be paved or macadamized and kept in repair by Company.

City to furnish materials.

Dirt and refuse to be removed by Company.

Crossings.

7. During the operation of laying the rails, a free passage for carriages and vehicles over the streets shall be kept open, and immediately after the rails shall have been laid, the paving and macadamizing and other material necessarily removed in laying the same, shall be replaced in a good substantial manner as before such removal, and the surface of the street shall be made flush with the rails; no portion of the surface of the streets shall be kept broken or disturbed for a greater time than one week, and all surplus street material shall be carefully removed by the said Company and deposited in such place or places as may be directed by the Board of Works or the City Engineer.

During construction of railway free passage over streets to be kept open.

Street to be put in good condition.

8. The construction of the said Electric Railway shall be completed from the City of Hamilton to the Town of Dundas, and electric cars running thereon before the first day of October, 1897.

Date when railway shall be completed.

9. And it is hereby expressly declared that the Corporation of the City of Hamilton shall not be held liable to the said Railway Company for any damage the said Company may incur or sustain from the breakage of any sewer or water pipes, or for any delay that may be caused by the

City not to be held liable for any damage or delay.

**BY-LAW 894.** construction of sewers, the laying of water pipes, or the necessary repairing of same, or from any other delay or damage that may be caused by freshets, fire or otherwise, or from repairs, changes or improvements in the streets.

Rights of City  
and certain com-  
panies reserved.

**10.** All rights now, or that may hereafter be vested in the City Corporation, or in any gas company, telephone, telegraph, electric light or other company, in respect to the care and improvement of the streets, the construction of sewers, culverts or drains, and the laying of water or gas pipes therein, or the placing of poles or wires, are in no way to be affected or impaired by any privilege that may be granted to the said Company; but the said railway must be laid down and maintained, subject to the rights of the said City Corporation and the said companies to take up, alter, repair or remove sewers, water and gas pipes, and to place poles and wires and subject to all other purposes within the province and privilege of the said Corporation of the City of Hamilton, without claim for damages against the said Corporation or any of the said Companies, and the said City Council expressly reserve to themselves the right hereafter to lay down or permit to be laid down, in the said streets, gas or water pipes, or sewers, and place or permit the placing of poles and wires, and to alter, improve and repair said streets whenever the public or private convenience may require.

When deemed  
necessary to pave  
any street, space  
between rails to  
be paved by city.

Company to keep  
same in repair.

**11.** Whenever it shall be deemed necessary by the City Council to pave any street occupied by the railway tracks of the said Company, that portion of such street embraced between the outer lines of the rails of such tracks switches and turn-outs, shall in the first instance be paved by and at the expense of the said City Corporation; but thereafter, during the continuance of this grant, the same shall be kept in repair, to the satisfaction of the Board of Works by the said Railway Company, the material for such repairs to be supplied at the expense of the city.

Company to be  
liable for any loss  
or injury.

Company to  
indemnify City  
against any dam-  
ages, &c.

Guard Wires

**12.** The said Railway Company shall be liable for any loss or injury that any person may sustain by reason of any carelessness, neglect, or misconduct of their agents or servants, in the management, construction or use of their railway; and the said Company shall indemnify and hold the said Corporation of the City of Hamilton harmless from any damage that may be claimed by property holders, or by any person or persons on account of the laying of their tracks, or the use thereof, or the running of cars thereon, and shall indemnify the City Corporation against all damages, actions, costs and expenses they may pay, incur, or be put to by reason of any such claims, or of any danger or injury from any electrical system adopted by the Company, and shall by the use of guard wires or other sufficient means protect all the city fire alarm wires, and all telegraph or telephone wires from contact with the electric wires which

may be used by the Company for the working of the railway, and the Company shall make good to the City Corporation all damage or loss which may be caused by the works or operations of the Company to any water pipes or other property of the city.

BY-LAW 894.

13. No part of said railway within the city limits shall be opened to the public, or put in operation, until the sanction of the Council has been previously obtained by means of a special resolution to that effect, and such sanction shall only be granted upon a certificate from the City Engineer or other officer especially appointed by the said Council for that purpose, declaring the said railway to be in good condition and constructed conformably to the conditions prescribed by this By-law in that behalf.

Railway not to be opened to the public until sanction of Council is obtained.

14. The said Company shall place and continue on said railway good cars, with all the modern improvements for the convenience and comfort of passengers, including lighting and heating, and they shall run cars thereon as the public convenience may require, under such directions as the City Council may from time to time prescribe, and no permanent business sign shall be carried on the outside of the cars for advertising purposes within the city limits.

Company to provide good cars with modern improvements.

Permanent business signs not to be carried outside of cars.

15. The privileges granted by this By-law shall (subject to the provisions hereinafter mentioned) extend until the twenty-second day of December, 1928, but at the expiration thereof the Corporation of the City of Hamilton may, after giving six months' notice, prior to the expiration of the said term, of their intention, assume the ownership of the railway, and all real and personal property in connection with the working thereof (including that part outside the Corporation limits), on payment of their value, to be determined by arbitration; and in case the said Corporation shall fail in exercising the right of assuming the ownership of said railway at the date aforesaid, the privileges granted by this By-law shall continue, but the said Corporation may, at the expiration of every five years, to elapse after the said date, exercise the same right of assuming the ownership of the said railway and of all real and personal estate thereto appertaining, after one year's notice to be given preceding the expiration of every fifth year, as aforesaid, and on payment of their value, to be determined by arbitration; and in any such arbitration regard shall be had to what is the fair and reasonable value of such property in the way in which it is being used and employed, and the net revenue which has been and is receivable therefrom; and any arbitration under this clause shall be subject to the provisions of the Municipal Act and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the cost of the arbitration.

Date when franchise expires.

Conditions upon which City may assume ownership of railway.

Arbitration.



**BY-LAW 894.**

If ownership of railway is not assumed by the City, privileges to extend for further period

**16.** If the City Corporation shall not give notice under the last preceding section of this By-law of their intention to assume the ownership of the railway, or if they shall not assume the ownership thereof pursuant to such notice, they may at any time give notice in writing to the Company of their intention to refer to arbitration the terms and conditions upon which the privileges hereby granted to the said Company should continue, and the period (not exceeding twenty years) for which they should so continue, and any arbitration under this section shall be subject to the provisions of the Municipal Act, and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration; but the City Corporation may, after the arbitrators have made their award, elect to continue the privileges hereby granted upon the terms contained in this By-law instead of under the terms contained in said award, if the Council of said City shall, within three months after the publication of such award, pass a By-law to that effect, in which case the City shall pay the costs of the arbitration.

Arbitration

If Company fails to keep streets in repair City may do the work and collect the cost from the Company.

**17.** In case the said Railway Company shall fail to keep the streets in which their railway shall be laid in good repair, according to the provisions of this By-law, and shall neglect to make such repairs for two days, after notice in writing from the City Engineer, Street Commissioner, or other officer having supervision of repairs of streets, served upon the President, Secretary, Superintendent or other managing officer of the said railway, specifying the repairs, then, and in such case, the City Corporation shall have the right to cause such repairs to be made, and to collect the cost thereof from the Railway Company.

Removal of snow or ice.

**18.** Whenever it shall be necessary to remove any snow or ice from the track or tracks of said Company's road, switches or turnouts, and from the spaces between such tracks, and for two feet outside of such tracks, or whenever the City Engineer, Street Commissioner or other officer having charge of the streets shall direct the removal thereof, such snow and ice shall be removed by the Company in such manner as not to obstruct or render unsafe the free passage of sleighs or other vehicles along or across the street, and all snow and ice removed from the track or tracks of the Company or from the spaces between or alongside such tracks shall be forthwith carried away in sleighs or other vehicles by and at the expense of the Company to some other street or suitable place to be approved by the City Engineer, Street Commissioner or other officer having charge of the streets, and which shall in the opinion of the City Engineer be within reasonable distance of the street from which the snow or ice is removed and as near thereto as practicable, and shall be there spread or deposited in such manner as the City Engineer, Street Com-



missioner or other officer having charge of the streets shall direct; that if the City Engineer shall certify under his hand at any time that in his opinion the carrying away of the snow or ice then upon the street is unnecessary the Company shall not be obliged to carry it away, but such certificate shall not relieve the Company from any liability to the City Corporation or to others for accidents caused by snow or ice between or alongside the Company's tracks, and in removing snow or ice from their tracks the Company shall leave the surface of the snow between their tracks as much above the rails as it can be allowed to remain without impeding the operation of the railway. The City Engineer, Street Commissioner or other officer having charge of the streets shall have power to determine what portion of the snow or ice upon any street has been removed by the Company from the spaces between or alongside their tracks and should be carried away by the Company under the terms of this By-law, and also to determine how much snow in addition to that removed from the tracks or from alongside them the Company shall remove or carry away in order to make the grade of the street outside their tracks reasonably safe, and his direction or determination shall be final and the Company shall be bound thereby. If the Company shall at any time neglect or refuse to comply with any of the requirements or provisions in this clause contained with regard to the removal or carrying away or spreading of snow or ice, the City Corporation shall be at liberty to do the work which should have been done by the Company and shall have the right to recover from the Company the cost of such work, but nothing herein contained shall prejudice or diminish any other right or remedy which the City Corporation might have on account of any neglect or refusal on the part of the Company to comply with any of the requirements or provisions hereof. The use of salt for the purpose of removing snow or ice from any of the said tracks is hereby prohibited.

**BY-LAW 894.**

If City Engineer certifies that removal of snow and ice is unnecessary, Company not bound to remove.

Use of salt prohibited.

**19.** The following specifications regulating the running of the said railway, shall be observed by the said Company.

Specifications.

(a) The cars to be used on the said railway shall be propelled by electricity as a motive power, and shall be run as the said Council shall provide, as often as public convenience shall require or the said Council prescribe.

Cars to be propelled by electricity.

(b) The said Company may charge and collect from every person, on entering any of their cars or carriages, for riding any distance on their railway within the City in the same continuous route, a sum not exceeding five cents, except children under five years of age accompanied by parents or other person having them in charge, such children to ride free, provided they do not occupy seats, and shall, within the City, carry children between five and twelve years of age for a cash fare of three cents, or give ten

Fares.

**BY-LAW 894.** children's tickets for twenty-five cents ; and also carry free of charge within the City all police constables in uniform and all City detectives wearing badges, and all firemen in uniform going to or from a fire.

Police and Firemen on duty to be carried free.

Company may charge for carrying packages.

(c) The Company may also charge a reasonable compensation for carrying packages.

Cars on the same track not to approach each other nearer than 100 feet.

(d) Cars running in the same direction, or in opposite directions on the same track, shall not approach each other within a distance of 100 feet, except in case of accident, or when it may be necessary to connect them together, and also except at stations and turnouts ; and the rate of speed of all cars shall be subject to the direction of the City Council from time to time.

Rate of speed

Rate of speed turning corners.

(e) While the cars are turning the corners from one street to another, they shall be run at the rate of not more than four miles an hour.

Cars not to stop on crossings or street intersections.

(f) No car shall be allowed to stop on a cross walk or in front of any intersecting street, except to avoid collision or to prevent danger to persons in the streets, or for other sufficient cause, nor shall any car be left or remain standing on any street at any time unless the same is waiting for passengers.

Number of men to be in charge of car.

(g) There shall be not less than two men in charge of each motor car, and an additional man in charge of every trailer, and when any car is stopped at the intersection of streets to receive or leave passengers, it shall stand so as to leave the rear platform slightly over the crossing.

Conductors to be sober, careful and prudent.

(h) It shall be the duty of the Company to employ careful, sober and prudent conductors and motormen to take charge of their cars while on the road, and it shall be the duty of such conductors and motormen, so far as may be practicable, to keep a vigilant watch for all teams, carriages and persons on foot, and especially children, either upon the track or moving towards it ; and on the first appearance of danger the car shall be stopped in the shortest time and space possible.

Shelters for motormen.

(i) The Company shall provide sufficient shelter upon its cars to protect the motormen or persons in charge of such cars during the winter season from exposure to cold, or to snow, rain or sleet while engaged in operating the cars.

Passengers not to enter or leave cars while in motion.

(j) The conductors shall not allow any passengers to enter or leave the car while in motion.

## BY-LAW 894.

(k) The cars, after sunset, shall be provided with colored signal lights, and a bright head light on every motor car, and each motor car shall have a gong attached to it which shall be kept ringing at all times when approaching a crossing or when necessary to give warning.

Signal Lights.

Gongs.

(l) It shall and may be lawful to and for all and every person and persons whatsoever, to travel upon and use the said tracks with their vehicles, loaded or empty, when and so often as they may please, provided they do not impede or interfere with the cars of the said Company running thereon.

Persons may travel on tracks.

(m) The cars shall be entitled to the track and any horse or vehicle upon the track of said Company shall turn out when any car comes up so as to leave the track unobstructed and anyone placing an obstruction on the track, except as authorized by this by-law, or the driver of any vehicle refusing to turn out when requested or signalled by the conductor of any car, shall be liable to a penalty not exceeding ten dollars and the costs of prosecution, on conviction before the Police Magistrate, and such penalty may be imposed for every day that such obstruction may continue, but the imposition of any penalty under this by-law shall not relieve the persons causing such obstruction from liability for damages or from any other penalty imposed by law; but if any person or persons shall have any cause to remove any building or other large and heavy substance, such person or persons shall be allowed reasonable and sufficient time to remove, load or unload the same without being liable to the penalty attached by this section, provided that any person or persons before removing any building along or across the railway track shall first obtain the consent in writing of the City Engineer or Street Commissioner for such removal.

Cars entitled to track.

Penalty for persons refusing to turn out when requested by conductor.

Buildings not to be moved along or across tracks without permission of City Engineer.

(n) Any conductor or other employee who shall collect of any passenger more than the fare prescribed by this by-law, unless such passenger is going beyond the city limits, shall, on conviction thereof in the Police Court, pay a fine of not less than five dollars for each offence.

Penalty for conductor or Employee collecting more than prescribed fare.

(o) The said Company shall keep tickets for sale at some place in the business portion of the city, convenient for the people, and also upon their cars, and they shall sell tickets to persons desiring the same at a rate not exceeding twenty-five cents for six tickets for fare to any point on their line within the city limits, and a notice to that effect shall be put up in each car.

Tickets.

Six tickets for 25 cts

20. The Company shall also have painted in large plain letters on a conspicuous place on the outside of each car the number thereof, and the name of the route over which the car is to be run, so that such name and number

Number of Car to be placed on outside of car.

**BY-LAW 894.**

Employee to show  
his number on  
breast of coat.

may be readily seen and read by day or night, and each person employed in running a car shall when so employed, have his number conspicuously shewn on the breast of his coat.

Fenders.

**21.** The Company shall securely fix upon the front of each motor car used by them in the streets of the City of Hamilton. and shall use continuously upon each of such motor cars, so long as the same shall be running in any of the City streets, a fender of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact; but this by-law shall not apply where by reason of a heavy fall of snow the use of a fender upon a motor car is rendered impossible or would obstruct the running of the car, or where, after an accident to a fender during a trip, the car carrying it is completing such trip.

Penalty for not  
providing fenders.

**22.** For every breach of the next preceding section of this by-law a penalty of not more than fifty dollars, exclusive of costs, may be imposed, and such penalty may be recovered and enforced with costs by summary conviction before the Police Magistrate or any Justice of the Peace for the City of Hamilton, and may be levied by distress and sale of the goods and chattels of the offending Company.

Penalty may be  
imposed for every  
day any breach of  
this By-law  
continues.

**23.** The penalty mentioned in the last preceding section hereof may be imposed for every day that any breach of this By-law may continue, and in respect of every motor car which may be operated by the Company in any street in the City of Hamilton without having securely fixed upon the front of the car a fender of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact, but such penalty shall not be imposed in cases where this By-law does not apply, as provided in the exceptions contained in the first section of this By-law.

Proviso.

City reserves  
power to make  
further rules and  
regulations.

**24.** It is hereby reserved to the said City Council to make such further rules, regulations, orders and by-laws in relation to the construction, repairs and operation of the said railway as from time to time may be deemed necessary to protect the interests of the said City, or to provide for the safety, welfare or accommodation of the public, but no alteration in these rules shall be made which shall have the effect of impairing the substantial rights of said Company.

**25.** Should the Company fail to complete said railway and to commence running electric cars thereon within the time limited by this By-law, or should the said Company, within the time limited by this grant, neglect to run electric



cars on said railway, or any part thereof, after the completion thereof, for the accommodation of the public, as provided by this By-law, or by any rules and regulations of the said Council made in pursuance thereof, for the space of three successive months, or should the said Company make default in payment of any monies which may from time to time become payable by them under this By-law or in the performance of the agreement to be made in pursuance hereof, then the said Company shall forfeit all privileges and rights which they may have acquired by said grant or by the use or possession of said streets; and in such case the City of Hamilton reserves the right to cause all obstructions and materials placed in said street by said Company, to be removed therefrom, and the said street to be put in as good condition and repair as it was before said materials and obstructions were placed therein, and the expense thereof shall be paid to the said City Corporation by said Railway Company; and the said City Council also in such case reserve the right to grant the same rights and privileges to any person or persons, company or companies, free from all charges or liabilities for damages on account thereof. The City Corporation shall have a lien upon all such materials for the expense of the removal thereof and of putting said street in good condition and repair, and shall have the right to sell and dispose of such materials and pay over to the Company or their assigns the residue, if any, of the proceeds thereof after deducting the expenses of and incidental to such sale and the expenses of such removal and repair, or the City Corporation may, without taking up or removing such materials, sell the same, either by public auction or private contract, for such prices and on such terms of payment as they may deem fair and reasonable, to any person or Company who shall undertake to the satisfaction of the Council to operate an electric railway efficiently from Hamilton to Dundas, and the City Corporation shall in such case pay over to the Hamilton and Dundas Street Railway Company, or their assigns, the proceeds of any such sale, after deducting all expenses thereof or incidental thereto, but no sale of such materials without removal thereof shall be made by the Company or by the City Corporation to any person or company to be used for local street railway purposes alone, but only as part of an electric railway to be operated efficiently from Hamilton to Dundas.

**BY-LAW 894.**

Should Company fail to complete or neglect to run railway or fail to pay to City, monies payable under this By-law privileges to cease.

Right of City to remove obstructions or to sell materials.

City to have lien on materials for expense of removing, and for putting street in repair.

**26.** The Company shall pay to the City Corporation, in quarterly payments during each year, the sum of \$300 per annum, on every mile of track within the city limits; such payment to commence from the expiration of seven years from the date of the passing of this By-law, and such mileage to be computed on direct length of street occupied, whether single or double track.

Mileage rate.

**27.** The poles to be used for the Company's wire on Poles.

**BY-LAW 894.** Main Street shall be of iron, and of the most approved pattern, and the wooden poles used by the Company shall all be straight and perpendicular, and as nearly as possible of the same shape and size, and shall be dressed and painted throughout, and all poles shall be placed on the sides of the street in such manner as to obstruct as little as possible the use of the streets for other purposes.

In cases of fire, wires may be cut or pulled down.

Cars may be required to stop running.

**28.** Where necessary in cases of fire the Chief Engineer or person in charge of the fire brigade shall have the right to cut or pull down any wires of the Company which obstruct the operations of the firemen or to direct that they shall be so cut or pulled down, and also to require the Company to stop the running of their cars to or near the building or buildings which may be on fire, and the City Corporation shall not be liable for any loss or damage thus caused.

Works of construction and repairs and removal of snow and ice to be done to City Engineer's satisfaction.

**29.** All works of construction and repair, and of removal and spreading of snow or ice, shall be done, and all poles shall be placed under the supervision and to the satisfaction of the City Engineer.

Change in method of applying electric power, conditions relating thereto.

**30.** If the City shall by a two-thirds vote of the Council request the Company to adopt any other method than the system first adopted by them of applying the electric power in running their cars, such other method shall be adopted by the Company at their own expense within two years after the passage of any such resolution of the Council, and the poles and wires and overhead construction used by them, so far as they may not be required for their new system, shall be removed by the Company within that time, provided that the Company shall not be obliged to make any change in the electric system first adopted by them before the expiration of five years from the passage of this by-law, or after the expiration of twenty years from the passage of this By-law and in the case of their being requested by the City Council to make any such change they shall, upon giving notice in writing of their intention to do so within two months after the passage of such resolution, have the right to appeal to a board of arbitrators, consisting of three persons, one of whom shall be named in the notice of appeal given by the Company and one shall be named by the City within two months after receiving such notice, and the third shall be appointed by the two so named, or in case of their failure to appoint such third arbitrator within one month after the appointment of the City's arbitrator, he may, upon application to either party, after one week's notice to the other, be appointed by a judge of the high court, and if such arbitrators, or the majority of them, declare by their award in writing, signed by them, that the request of the City Council is unreasonable the Company shall not then be obliged to make the change except upon

Railway Co. may appeal to arbitrators.

such terms as to contribution by the City to the cost thereof as the said arbitrators, or a majority of them, may by such award, decide to be fair and just; and the City shall have the option of withdrawing their request or submitting a by-law for the assent of the electors, under the provisions of the Municipal Act, to authorize the necessary expenditure on their part for such change, and if such By-law be not assented to by the electors within three months after service on the City of a copy of the award, the request shall be deemed to be abandoned.

**BY-LAW 894.**

Costs of arbitration, how borne.

**31.** The said Company are hereby authorized from time to time to enter into agreements with the Hamilton Street Railway Company for the use of such portion of their tracks in the City of Hamilton as the Companies may agree upon, and the said Council may by By-law permit; and such permission is hereby given for an agreement as aforesaid, for the use by the Company of the tracks of the Hamilton Street Railway Company upon James and Herkimer Streets with leave to the Company, in the event of such agreement being made, to connect the line of their railway with the line of the Hamilton Street Railway at the corner of Main and James Streets, and at the corner of Herkimer and Queen Streets or by a line down Locke Street from Aberdeen Avenue to Herkimer Street. And the said Company shall, upon such agreement being entered into, and while the same is in force, cease to use their tracks for which the above route is substituted and shall remove their tracks and substructures therefrom and put that portion of the streets occupied thereby into a good state of repair for ordinary travel, paving or macadamizing such portion of said streets in the same manner and with the same kind of material as may be or may have been adopted or used by the City Corporation for the remainder of the paved or macadamized portion of such streets, and the right to the use of such streets shall be suspended from time to time during the continuance of any such agreement with the Hamilton Street Railway Company. The said Company may also, with the consent of the Hamilton Street Railway Company, connect their said railway with the Hamilton Radial Electric Railway tracks on Gore Street by the use of the Hamilton Street Railway tracks upon James Street, and use the Radial Company's terminus at the City terminus of the Company's road, such connection to be made under the direction and to the satisfaction of the City Engineer.

Company may agree with Hamilton St. R'y. Co. for use of their tracks.

If Company abandons their tracks, roadway to be put in good condition by Company.

**32.** If the City Council shall by by-law or resolution request the Company to allow its tracks on Queen Street to be used for the entrance of any other electric railway into the City of Hamilton, the Company shall permit its tracks to be so used to the connection with the Hamilton Street Railway tracks, or otherwise, upon such terms and conditions as may be mutually agreed on between the

Use of Company's tracks on Queen St. for entrance of other railways.

**BY-LAW 894.** Hamilton and Dundas Street Railway Company and the City Corporation and the Company building such railway, or as shall be settled by arbitration in case the said Companies and the City Corporation cannot mutually agree. Any arbitration under this section shall be subject to the provisions of the Municipal Act and of the Acts respecting arbitrators and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each of the Companies interested shall pay half the costs of arbitration.

Arbitration under this section.

By-law not to take effect until agreement is executed.

**33.** This By-law and the powers and privileges hereby granted shall not take effect until assented to by the trustees of the mortgage securing the bonds of the railway, nor unless formally accepted by the Railway Company on or before the thirty-first day of August, 1897, by an agreement which shall legally bind the Company to perform and observe all stipulations contained herein, and such agreement shall be approved by the City Solicitor, and said agreement when so approved shall also be executed under the City Seal by the Mayor or Chairman of Finance and the City Clerk. Provided always that if this By-law takes effect the said Company shall be at liberty to operate the railway under the terms of the said By-law No. 129, until the first of October, 1897, or until such earlier date as their railway shall be operated by electricity.

Proviso.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

### SCHEDULE REFERRED TO IN FOREGOING BY-LAW.

Agreement.

THIS AGREEMENT made this eighth day of May,  
A. D., 1897,

BETWEEN

THE HAMILTON AND DUNDAS STREET  
RAILWAY COMPANY, hereinafter called the  
H. & D. Co., of the first part,

—and—

THE HAMILTON, GRIMSBY AND BEAMS-  
VILLE ELECTRIC RAILWAY COMPANY,  
hereinafter called the H. G. & B. Co. of the  
second part.



Whereby it is agreed that on or before the first day of July, 1897, a new track shall be laid along Main Street one-half of the distance between the easterly terminus of the Hamilton and Dundas Street Railway on Main Street at or near Ferguson Avenue, and the eastern line of James Street, such track to be built of girder rails of the same weight and pattern as those used by the Hamilton Street Railway Company and the H. G. & B. Co. inside the City limits at the expense of the H. G. & B. Co. **BY-LAW 894.**

2. That unless the H. & D. Co. suspend the use of that part of Main Street on or before the first day of July, 1898, or when the H. & D. Co. resume the use of such portion of Main Street, a new track shall be laid along Main Street the remaining half of the distance between the easterly terminus on Main Street of the H. & D. Co. at or near Ferguson avenue and the eastern line of James Street, such track to be built of girder rails of the same weight and pattern as those now used by the Hamilton Street Railway Co. and the H. G. & B. Co. inside the City limits, or of such other pattern as may be agreed upon by the City Council, at the expense of the H. & D. Co.

3. Upon the completion of the said new track from near Ferguson Avenue to James Street the same shall be the joint property of the said Companies.

4. All V's or switches used by the said Companies respectively to connect with such line are to be built at the separate cost of the Company using the same, but the switches, turn-outs and cross-overs intended to be used by both Companies shall be part of the joint construction.

5. The overhead trolley work and wire and bonding of rails shall be considered as part of the work, and when the H. & D. Co. commence to operate on the said piece of track by means of the trolley system they shall pay to the H. G. & B. Co. one-half of the capital invested by the H. G. & B. Co. in the work which the H. G. & B. Co. have erected and which may be used in common by both Companies, which amount is to be reduced according to the length of time said work has been constructed and the life of said work shall be estimated at 20 years for the purpose of calculating the reduction of the capital repayable in this event, but each Company is to provide, string and maintain its own trolley wire for the whole length of said line and to supply its own power for the operation of its railway and the running of its cars.

6. Each Company shall have equal rights on the portion of Main Street, between Ferguson Avenue and James Street, and the cars of either Company shall not obstruct

**BY-LAW 894.**

any portion of the common track and shall only stop thereon from time to time for the purpose of picking up or letting off passengers, parcels or express matter, unless delayed by accident or other unavoidable cause. The H. & D. Co. shall have the first right to settle its time table and the Company whose car shall first be on the main track on Main Street, between Ferguson Avenue and the H. G. & B. Co.'s Station, shall have priority of right of way.

7. The easterly half of said common track and the trolley poles, span wires, bells, pull-overs and bonding of the rails over the said track shall be maintained and kept in repair by the H. G. & B. Co.

8. The westerly half of said common track and the trolley poles, span wires, bells, pull-overs and bonding of the rails over the said track shall be maintained and kept in repair by the H. & D. Co.

9. The H. & D. Co. are to be entitled to the iron, steel and other scrap on the present track, and they are to be at the expense of removing the same off Main Street.

10. In the event of the H. & D. Co. finally abandoning their franchise upon that part of Main Street between Ferguson Avenue and James Street after having constructed the westerly half of said track, then the H. G. & B. Co. shall pay to the H. & D. Co. the amount of capital invested by the H. & D. Co., which amount is to be reduced according to the length of time the said track has been constructed, and the life of the said new track shall be estimated at 20 years for the purpose of calculating the reduction of the capital repayable in this event.

11. Until the construction of the easterly portion of said piece of track by the said H. G. & B. Co. as provided by this agreement, the H. G. & B. Co. are to pay rent for the present track as fixed by the Jennings award, and upon such easterly portion of said track being constructed there shall be no further rent payable by the H. G. & B. Co. to the H. & D. Co.

12. Upon the construction of the easterly portion of said piece of track by the H. G. & B. Co., the H. & D. Co. shall be entitled to the use of said track without the payment of any rental.

In witness whereof the said Companies have affixed

their corporate seals and have caused the signatures of their proper officers to be attached. **BY-LAW 837.**

B. B. OSLER,  
*President H. & D. Co.*

W. S. MCBRAYNE,  
*Secretary H. & D. Co.*

C. J. MYLES,  
*President H. G. & B. Co.*

A. J. NELLES,  
*Secretary H. G. & B. Co.*

Signed, sealed and delivered  
in the presence of  
JOHN G. GAULD.

### BY-LAW No. 837.

*Passed 13th day of April, 1896, respecting the Hamilton  
Radial Electric Railway Company.*

WHEREAS by an Act of the Legislative Assembly of the Province of Ontario passed on the fifth day of May, 1894, entitled "An Act to incorporate the Hamilton Radial Electric Railway Company," and by subsequent amending Acts the said Company are authorized and empowered to survey, lay out, construct, build, equip and maintain certain iron or steel railways, and amongst others a railway, to be operated by electricity, from the City of Hamilton to the Village of Burlington, in the County of Halton, passing through the Townships of Barton and Saltfleet in the County of Wentworth, and the Township of Nelson in the County of Halton, and the Company are by the said Act of Incorporation authorized to carry their railway along such streets and highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same. Preamble.

And whereas it is also provided in the said Act of Incorporation that whenever any of the said railways or their cars, carriages, engines, motors or machinery is or are carried, operated or worked on, over, through, under, or along any street, highway or public place of any municipality by electricity, the same shall only be so carried, operated or worked upon and subject to such agreement in respect thereof as shall first be made between the said Com-

**BY-LAW 837.**

pany and the Municipality with the approval of a two-thirds vote of the members of the Council of such Municipality, and under and subject to any by-law or by-laws of the Council of the said Municipality passed in pursuance thereof, and that in all such cases any and every work, matter or thing in connection with said electricity, and the application and user thereof in so carrying, operating and working the said railways or their cars, carriages, engines, motors or machinery as aforesaid, shall be so constructed, erected, laid down and arranged as not to incommode the public use of any such street, highway or public place, nor to be a nuisance thereto, nor to impede the free access to any house or other building erected in the vicinity of the same, or to endanger the same.

And whereas the Company have applied to the Corporation of the City of Hamilton for permission to construct their railway along certain streets in the City hereinafter more particularly referred to upon the terms set forth in this By-law ; and have petitioned the Council of the Corporation of the City of Hamilton to pass this By-law granting such permission, to which the said Council have assented.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

**1.** The consent, permission and authority of the Corporation of the City of Hamilton are hereby given and granted to the Hamilton Radial Electric Railway Company, their successors and assigns, to lay out, construct and complete an electric railway, consisting of a single track with such switches and turnouts as may be authorized in manner hereinafter provided, and to erect all necessary poles, wires and overhead construction for the completion of said railway on the trolley system, and its operation by running cars thereon by means of electricity as a motive power, in, upon and along the following streets in the City of Hamilton, namely :

Company authorized to build an Electric St. Railway.

Route of railway.

Beginning at the easterly side of James Street, at the west end of Gore Street, thence easterly along Gore Street and crossing Catharine Street to the east side of Catharine Street ; also beginning at the west side of Mary Street nearly opposite the west end of Wilson Street crossing Mary Street, and thence easterly along Wilson Street, and crossing Steven Street to the east side of Steven Street, and crossing Ashley Street from the west to the east side on a line parallel with the south side of Wilson Street and distant 111 feet 6 inches more or less therefrom, as shewn on the diagram annexed hereto, also beginning at the west side of Wentworth Street, opposite the west end of Wilson Street, formerly Little Wellington Street, crossing Wentworth Street, and thence easterly along Wilson Street and crossing Chestnut Avenue to the east side thereof, also



beginning at a point on Sherman Avenue, 250 feet north of the intersection of King Street and Sherman Avenue, thence northerly along Sherman Avenue to Burlington Bay; the Company first procuring a conveyance to the City Corporation of the necessary land for a street not less than 56 feet wide from Catharine to Mary Street, at right angles to those streets and partly opposite the east end of Gore Street, and having the right to construct, maintain and operate their railway upon and along the street so acquired, and to pass therefrom to Wilson and Gore Streets respectively as shewn on the diagram hereunto annexed, the northerly rail of the track being not less than sixteen feet from the northeast corner of Wilson and Mary Streets, and the southerly rail of the track being not less than twelve feet from the southwest corner of Gore and Catharine Streets.

BY-LAW 837.

Land for street to be conveyed to city.

2. The Corporation of the City of Hamilton hereby give and grant to the Hamilton Radial Electric Railway Company, their successors and assigns, the right to keep, maintain and use their said tracks and railway, poles, wires and overhead construction, on the said streets and thereon to operate the railway and its cars, carriages, motors and machinery during the term hereinafter specified, upon and subject to the conditions and agreements hereinafter mentioned or contained.

Company granted authority to keep, use and maintain their tracks, poles, wires, &c., on streets.

3. The grant herein contained shall be subject to such rights, franchises and privileges heretofore granted by any by-law or by-laws of this Council to the Hamilton Street Railway Company ~~as are now possessed by that Company~~ and particularly to the condition that the said Hamilton Radial Electric Railway Company shall not be used as a competitor for local street traffic with the Hamilton Street Railway Company, ~~otherwise than upon terms agreed to by that Company;~~ and the said Hamilton Radial Electric Railway Company shall not carry within the limits of the City of Hamilton any passengers other than such as are being carried from a point on the line of their railway outside the City limits, or are to be carried to a point on their railway beyond the limits of the City, except with the consent of the Hamilton Street Railway Company by an agreement under the seal of that Company with the City Corporation and the Hamilton Radial Electric Railway Company.

Grant herein contained to be subject to rights of Hamilton St. Ry. Co.

Company not to compete for local street traffic.

Proviso.

4. The rights conferred upon the said Company by this By-law, and the agreement to be executed in pursuance hereof, shall in no case be taken to prevent the said City Corporation or their grantees, from crossing the railway of the said Company by other railways traversing other streets in which privileges may be granted consistently with the terms of this By-law, but such right to cross the same is hereby expressly reserved.

Rights of City to cross railway with other railways reserved.

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**5.** Such railway shall be so laid that the rails on each side of the track shall as nearly as possible be at an equal distance from the centre of the street, except when passing from Wilson to Mary street and from Catharine to Gore street, where the track may be placed as shewn on the diagram hereunto annexed, and the track shall be of the gauge of four feet eight and one-half inches, and shall be made with T rails of a weight of not less than 62 pounds to the yard, and shall be laid in such manner as will least obstruct the free and ordinary use of the streets and the passage of vehicles and carriages over the same, and the upper surface of the rails shall be laid and maintained flush with the surface of the streets, and shall conform to the grades thereof as they shall be established by profile and cross sections to be made by the City Engineer at the time such rails are laid, the Company to grade the streets to the full width of the roadway according to such profile and cross sections where the grades thereof are changed at the time of the construction of the railway and afterwards to conform at their own expense to the grades of the streets as they may from time to time be re-established or altered ; and in case of grading, paving or otherwise, if it be necessary to relay said rails, the same shall be done at the expense of the said Company, and the whole of such work shall be done and completed to the satisfaction of a majority of the said Council. And in all cases of construction or of relaying, the switches and turnouts shall be laid in such manner at such places and of such extent as the City Engineer shall, under authority to be specially given by the Council direct and approve.

Rails to be laid on  
centre of streets.

Style of rail.

Rails to be laid  
flush with surface  
of streets.

Rails to conform  
to street grades.

Switches and  
turnouts to be laid  
to satisfaction of  
City Engineer.

If any street is  
paved Company to  
lay girder rails.

(a) If any macadamized or unpaved street upon which the railway is constructed shall at any time be paved by the City Corporation, the Company shall at their own expense lay thereon girder rails in substitution for T rails if so required by the City Council.

Space between  
rails and for 2 ft.  
outside to be made  
good by Company.

Materials to be  
supplied by City.

Dirt and refuse to  
be removed by  
Company.

**6.** The space between the rails to be laid for the railway, upon any paved or macadamized street, and for two feet outside of such rails shall be constructed and made good to the level of the surface of the rails by and at the expense of the Company, and shall be thereafter by the said Company, and under the direction of and as required by the Board of Works in and for the said City, maintained and kept in repair to the level of the surface of the rails with such materials as the said Board of Works may from time to time direct (the materials therefor to be supplied by or at the expense of the said City Corporation), and all dirt and refuse caused by repairs to the said railway track shall be removed therefrom by the Company as may be directed and required by the said Board of Works or the City Engineer, and the said Company shall also construct and keep in good repair crossings of a similar character to those adopted by the said City Council, at the intersection of

every such railway track and crossing thereof, such crossings to be laid and kept in repair by the Company from curb to curb, the City Corporation supplying all material therefor.

**BY-LAW 837.**

Crossings-

(a) Where the construction of the railway shall render it necessary to change or rebuild any gully drains or to make new gully drains, the Company shall pay to the City Corporation the cost thereof.

Change or rebuilding of gully drains.

7. The space between the rails laid by the said Company upon any street not paved or macadamized, and for two feet outside of such rails, shall be well macadamized to the level of the top of the rails and to a depth of not less than ten inches below the line of the surface of the ties with good hard stone or other material suitable for that purpose; and such macadamizing shall be continually kept up to such level by the said Company, the materials required for the space between the rails only being supplied by or at the expense of the said City Corporation; but such macadamizing between the rails shall not be done unless required by the Board of Works, and if they shall not require the space between the rails upon any such street to be so macadamized, the same shall be ballasted by the Company to the line of the surface of the ties with suitable materials, and shall be filled up with gravel, slag or cinders to the level of the top of the rails by and at the expense of the Company, and shall be so maintained by them at their own expense.

Space between rails on any street not paved or macadamized to be macadamized by Company.

Materials to be supplied by City.

Proviso.

(a) The Company shall macadamize to the full width of the roadway and to the satisfaction of the City Engineer the streets between Catharine Street and Sherman Avenue along which their railway shall be laid, the Company using for that purpose the stone taken out when grading for their track, and not used for macadamizing between the rails, the remainder of the stone required for macadamizing to be furnished by the City Corporation; the Company hereby agreeing to take delivery of such stone as fast as it may be supplied to them; such macadamizing to be done by the Company between Catharine and Steven Streets when constructing the railway, and the work of macadamizing east of Wentworth Street to be done at such time after the construction of the railway as the City Council shall by resolution direct.

Company to macadamize certain streets to their full width.

Materials to be supplied by City.

(b) If the Company shall construct their railway northward from Wilson Street to the east of Sanford Avenue, otherwise than along Sherman Avenue, which they are hereby authorized to do, the Company shall upon any portion of their line so constructed be subject to the same obligations and conditions as to the construction, repair, maintenance and operation of their railway and the macadamizing or filling up, repairing and maintaining of the roadway between and alongside their rails upon any public

If company construct northward from Wilson St. to the east of Sanford Ave. same conditions as to construction, repairs &amp;c. to prevail.



**BY-LAW 837.**

street, and the removal of snow and ice and as to all other matters whatsoever as they would be subject to under this By-law if their line was constructed on Sherman Avenue northward from the line of Wilson Street.

Free passage for vehicles to be kept open during construction.

Roadways to be made good by Company.

Time for Completion of Railway.

City not to be liable for any damage.

City's rights and rights of other Companies not to be affected by any grant to the Company.

Railway to be laid down subject to rights of City.

Rights reserved.

8. During the operation of laying the rails, a free passage for carriages and vehicles over the streets shall be kept open, and immediately after the rails shall have been laid, the paving and macadamizing and other material necessarily removed in laying the same, shall be replaced in a good substantial manner as before such removal, and the surface of the street shall be made flush with the rails: no portion of the surface of the streets shall be kept broken or disturbed for a greater time than one week, and all surplus street material shall be carefully removed by the said Company and deposited in such place or places as may be directed by the Board of Works or the City Engineer.

9. The construction of the said electric railway within the City of Hamilton and thence to the Village of Burlington shall be completed and electric cars running thereon before the first day of July, 1897:

10. And it is hereby expressly declared that the Corporation of the City of Hamilton shall not be held liable to the said Company for any damage the said Company may incur or sustain from the breakage of any sewer or water pipes, or for any delay that may be caused by the construction of sewers, the laying of water pipes, or the necessary repairing of same, or from any other delay or damage that may be caused by freshets, fire or otherwise or from repairs, changes or improvements in the streets.

11. All rights now, or that may hereafter be vested in the said City Corporation, or in any gas company, telephone, telegraph, electric light or other company, in respect to the care and improvement of the streets, the construction of sewers, culverts or drains, and the laying of water or gas pipes therein, or the placing of poles or wires, are in no way to be affected or impaired by any privilege that may be granted to the said Company; but the said railway must be laid down and maintained, subject to the rights of the said City Corporation, and the said Companies to take up, alter, repair, or remove sewers, water and gas pipes, and to place poles and wires, and subject to all other purposes within the province and privileges of the said Corporation of the City of Hamilton, without claim for damages against the said Corporation or any of the said Companies, and the said City Council expressly reserve to themselves the right hereafter to lay down, or permit to be laid down, in the said streets, gas or water pipes, or sewers, and place or permit the placing of poles and wires, and to alter, improve and repair said streets whenever the public or private convenience may require.



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**12.** Whenever it shall be deemed necessary by the City Council to pave any street occupied by the railway tracks of the said Company, that portion of such street embraced between the outer lines of the rails of such tracks, switches and turnouts, shall in the first instance, be paved by and at the expense of the said City Corporation; but thereafter, during the continuance of this grant, the same shall be kept in repair, to the satisfaction of the Board of Works, by the said Railway Company, the material for such repairs to be supplied at the expense of the City.

When street is to be paved City to pave space between tracks.

Company to there after keep in repair.

City to provide materials.

**13.** The said Railway Company shall be liable for any loss or injury that any person may sustain by reason of any carelessness, neglect or misconduct of their agents or servants in the management, construction or use of their railway; and the said Company shall indemnify and hold the said Corporation of the City of Hamilton harmless from any damage that may be claimed by property holders, or by any person or persons on account of the laying of their tracks, or the use thereof, or the running of cars thereon, and shall indemnify the City Corporation against all damages, actions, costs and expenses they may pay, incur or be put to by reason of any such claims, or of danger or injury from any electric system adopted by the Company, and shall, by the use of guard wires or other sufficient means, protect all the City fire alarm wires and all telegraph or telephone wires from contact with the electric wires which may be used by the Company for the working of the railway.

Company liable for all damages.

Guard wires.

**14.** No part of said railway within the city limits shall be opened to the public, or put in operation, until the sanction of the Council has been previously obtained by means of a special resolution to that effect, and such sanction shall only be granted upon a certificate from the City Engineer or other officer especially appointed by the said Council for that purpose, declaring the said railway to be in good condition and constructed conformably to the conditions prescribed by this By-law on that behalf.

Railway not to be opened for traffic until sanction of Council is obtained.

**15.** The said Company shall place and continue on said railway good cars, with all the modern improvements for the convenience and comfort of passengers, including lighting and heating, and they shall run cars thereon as the public convenience may require, under such directions as the City Council may from time to time prescribe, but subject to the conditions and restrictions mentioned or contained in the third section of this By-law or in By-law number 624 therein referred to, and no permanent business sign shall be carried on the outside of the cars for advertising purposes within the city limits.

Company to supply good cars.

Cars to be run as required by public convenience.

Permanent business signs not to be carried outside of cars.

**16.** The privileges granted by this By-law shall (subject to the provision hereinafter mentioned) extend until the twenty-second day of December, 1928, but at the expira-

Date when franchise expires.

**BY-LAW 837.**

Conditions on which City may assume ownership of railway.

tion thereof the Corporation of the City of Hamilton may, after giving six months notice, prior to the expiration of the said term, of their intention, assume the ownership of the railway from its terminus in Hamilton to the Village of Burlington, together with any extensions thereof from Burlington and all real and personal property in connection with the working of the railway so assumed, on payment of their value, to be determined by arbitration; and in case the said Corporation should fail in exercising the right of assuming the ownership of said Railway at the date aforesaid, the privileges granted by this By-law shall continue, but the said Corporation may, at the expiration of every five years, to elapse after the said date, exercise the same right of assuming the ownership of the said railway and of all real and personal estate thereto appertaining, after one year's notice to be given preceding the expiration of every fifth year, as aforesaid, and on payment of their value to be determined by arbitration; and any arbitration under this clause shall be subject to the provisions of the Municipal Act and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration.

Arbitration.

Terms upon which privileges granted shall continue after 1928.

**17.** If the City Corporation shall not give notice under the last preceding section of this By-law of their intention to assume the ownership of the railway, or if they shall not assume the ownership thereof pursuant to such notice, they may at any time give notice in writing to the Company of their intention to refer to arbitration the terms and conditions upon which the privileges hereby granted to the said Company should continue, and the period (not exceeding twenty years) from the 22nd day of December, 1928, or from the time of the publication of the award of the arbitrators, whichever shall be latest, for which they should so continue, and any arbitration under this section shall be subject to the provisions of the Municipal Act, and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration; but the City Corporation may, after the arbitrators have made their award, elect to continue the privileges hereby granted upon the terms contained in this By-law instead of under the terms contained in said award, if the Council of said City shall, within three months after the publication of such award, pass a By-law to that effect, in which case the city shall pay the costs of the arbitration.

Arbitration.

City may elect to continue privileges upon terms contained in this By-law.

If City fails to elect to continue privileges award of Arbitrators to be binding, and privileges to extend for 20 years

(a) If the City Council shall not pass such By-law within the said period of three months, the said award shall be binding upon the City Corporation and upon the said Company, and the privileges hereby granted to the said Company shall continue for the said period of twenty years upon the terms and conditions mentioned in said award,

and after the said period of twenty years such privileges shall further continue upon the same terms unless or until a new award shall be made in pursuance of notice to be given by the City Corporation to the said Company in manner hereinbefore provided, or unless the said Corporation shall, during the said further period of twenty years or after the expiration thereof, assume the ownership of the railway upon the terms mentioned in section 16 of this By-law.

BY-LAW 837.

Proviso.

**18.** In case the said Company shall fail to keep the streets in which their railway shall be laid in good repair, according to the provisions of this By-law, and to the satisfaction of the City Engineer, and shall neglect to make such repairs for two days, after notice in writing from the City Engineer, Street Commissioner or other officer having supervision of repairs of streets, served upon the President, Secretary, Superintendent, or other managing officer of the said Railway, specifying the repairs, then, and in such case the City Corporation shall have the right to cause such repairs to be made and to collect the cost thereof from the Railway Company.

If Company fails to keep streets in repair City may do the work and collect cost from Company.

**19.** Whenever it shall be necessary to remove any snow or ice from the track or tracks of the said Company's road, switches or turn-outs, and from the spaces between such tracks, and for two feet outside of such tracks, or whenever the City Engineer, Street Commissioner or other officer having charge of the streets shall direct the removal thereof, such snow and ice shall be removed by the Company in such manner as not to obstruct or render unsafe the free passage of sleighs or other vehicles along or across the street, and all snow and ice removed from the track or tracks of the Company or from the spaces between or alongside such tracks shall be forthwith carried away in sleighs or other vehicles by and at the expense of the Company to some other street or suitable place to be approved by the City Engineer, Street Commissioner or other officer having charge of the streets, and which shall be within reasonable distance of the street from which the snow or ice is removed and as near thereto as practicable, and shall be there spread or deposited in such manner as the City Engineer, Street Commissioner or other officer having charge of the streets shall direct; but if the City Engineer shall certify under his hand at any time that in his opinion the carrying away of the snow or ice then upon the street is unnecessary the Company shall not be obliged to carry it away, but such certificate shall not relieve the Company from any liability to the City Corporation or to others for accidents caused by snow or ice between or alongside the Company's tracks, and in removing snow or ice from their tracks the Company shall leave the surface of the snow between their tracks as much above the rails as it can be allowed to remain without impeding the operation of the

Snow and Ice, removal of

If City Engineer certifies that removal of snow or ice is unnecessary Company shall not be obliged to remove.



**BY-LAW 837.**

City Engineer or other Officer in charge of streets to determine quantity of snow or ice to be removed.

If Company fails to remove snow or ice, City may do the work and collect the cost from Company.

Use of salt prohibited.

Specifications.

Cars to be propelled by electricity.

Fares.

Children's tickets.

Company may charge for carrying packages.

Cars on the same track not to approach each other nearer than 100 feet.

railway. The City Engineer, Street Commissioner or other officer having charge of the streets shall have power to determine what portion of the snow or ice upon any street has been removed by the Company from the spaces between or alongside their tracks and should be carried away by the Company under the terms of this By-law, and also to determine how much snow in addition to that removed from the tracks or from alongside them, the Company shall remove or carry away in order to make the grade of the street outside their tracks reasonably safe, and his direction or determination shall be final and the Company shall be bound thereby. If the Company shall at any time neglect or refuse to comply with any of the requirements or provisions in this clause contained with regard to the removal or carrying away or spreading of snow or ice, the City Corporation shall be at liberty to do the work which should have been done by the Company, and shall have the right to recover from the Company the cost of such work, but nothing herein contained shall prejudice or diminish any other right or remedy which the City Corporation might have on account of any neglect or refusal on the part of the Company to comply with any of the requirements or provisions hereof. The use of salt for the purpose of removing snow or ice from any of the said tracks is hereby prohibited.

**20.** The following specifications regarding the operating of the said railway in the City of Hamilton shall be observed by the Company :

(a) The cars to be used on the said railway shall be propelled by electricity only, as a motive power.

(b) The said Company, when authorized to do local street traffic, may charge and collect from every person on entering any of their cars or carriages for riding any distance on their railway within the City of Hamilton in the same continuous route, a sum not more than five cents, except children under five years of age accompanied by parents or other person having them in charge, such children to ride free, provided they do not occupy seats; and the Company shall carry children between the ages of five and twelve years any distance on their railway within the City of Hamilton, in the same continuous route for a cash fare of not more than three cents each, or give ten children's tickets for twenty-five cents; and shall also carry free of charge within the City all police constables and firemen in uniform, and all city detectives wearing badges.

(c) Said Company may also charge a reasonable compensation for carrying packages.

(d) Cars running in the same direction, or in opposite directions on the same track, shall not approach each other within a distance of one hundred (100) feet, except in case



of accident, or when it may be necessary to connect them together, and also except at stations, switches and turn-outs, and the rate of speed of all cars when running on or crossing public streets shall be subject to the direction of the City Council from time to time. When a car is turning at a corner from one street to another it shall be run at a rate of not more than four miles an hour.

**BY-LAW 837.**

Rate of speed.

Rate of speed  
when  
turning corners.

(e) No cars shall be allowed to stop on a cross walk or in front of any intersecting street except to avoid collision or to prevent danger to persons in the streets, or for other sufficient cause, nor shall any car be left or remain standing on any street at any time unless the same is waiting for passengers.

Cars not to stop  
on crosswalks or  
street inter-  
sections.

(f) There shall be not less than two men in charge of each motor car, and an additional man in charge of each trailer, and when any car is stopped at the intersection of streets to receive or leave passengers, it shall stand so as to leave the rear platform slightly over the crossing.

Number of men  
to be in charge of  
car.

(g) It shall be the duty of the Company to employ careful, sober and prudent conductors and motormen to take charge of their cars while on the road, and it shall be the duty of such conductors and motormen so far as may be practicable, to keep a vigilant watch for all teams, carriages and persons on foot and especially children, either upon the track or moving towards it, and on the first appearance of danger the car shall be stopped in the shortest time and space possible.

Conductors to be  
careful, sober and  
prudent.

(h) The conductors shall not allow any passengers to enter or leave the cars while in motion.

Passengers not to  
enter or leave cars  
in motion.

(i) The cars after sunset shall be provided with a white headlight in front and a red light in rear, conspicuously placed as a signal light, and each motor car shall have a gong attached to it, which shall be kept ringing at all times when approaching a crossing or when necessary to give warning.

Signal Lights.

Gong.

(j) It shall and may be lawful to and for all and every person and persons whatsoever to travel upon and use the said tracks with their vehicles, loaded or empty, when and so often as they may please, provided they do not impede or interfere with the cars of the said Company running thereon : but the said privilege shall not apply to any cars or motors operated by electricity or other motive power by or on behalf of any person or company other than the Hamilton Radial Electric Railway Company.

Persons allowed  
to travel on tracks

Proviso.

(k) The cars shall be entitled to the track, and any horse or vehicle upon the track of said Company shall turn out when any car comes up, so as to leave the track unob-

Cars entitled to  
the track.

**BY-LAW 837.** structured, and any one placing an obstruction on the track, except as authorized by this By-law, or the driver of any vehicle refusing to turn out when requested or signalled by the conductor or motorman of any car, shall be liable to a penalty not exceeding ten dollars and the costs of prosecution, on conviction before the Police Magistrate, and such penalty may be imposed for every day that such obstruction may continue, but the imposition of any penalty under this By-law shall not relieve the persons causing such obstruction from liability for damages or from any other penalty imposed by law ; but if any person or persons shall have any cause to remove any building or other large or heavy substance, such person or persons shall be allowed reasonable and sufficient time to remove, load or unload the same without being liable to the penalty attached by this section, provided that any person or persons before removing any building along or across the railway track shall first obtain the consent in writing of the City Engineer or Street Commissioner for such removal.

Penalty for persons obstructing tracks.

Removal of Buildings, consent of City Engineer to be obtained.

Penalty for Conductor or Employee collecting more than prescribed fare.

(l) Any conductor or other employee who shall collect of any passenger more than the fare prescribed by this By-law, unless such passenger is going beyond the City limits, shall, on conviction thereof in the Police Court, pay a fine of not less than five dollars for each offence.

Tickets.

Six tickets for 25 cts.

(m) The said Company shall keep tickets for sale at some place in the business portion of the City, convenient for the people, and also upon their cars, and when authorized to do local street traffic within the City they shall sell tickets to persons desiring the same at a rate not exceeding twenty-five cents for six tickets for fare to any point on their line within the City limits.

Number of car to be placed on outside of car.

Employee to shew number on breast of coat.

**21.** The Company shall also have painted in large plain letters, on a conspicuous place on the outside of each car, the number thereof, so that such number may be readily seen and read by day or night, and each person employed in running a car shall, when so employed, have his number conspicuously shewn on the breast of his coat.

Power reserved by City to make further rules and regulations.

**22.** It is hereby reserved to the said City Council to make such further rules, regulations, orders and by-laws in relation to the construction, repairs and operation of the said railway as from time to time may be deemed necessary to protect the interests of the said City, or to provide for the safety, welfare or accommodation of the public, but no alteration in these Rules shall be made which shall have the effect of impairing the substantial rights of said Company.

**23.** Should the said Company fail to complete their said railway from the City of Hamilton to the Village of Burlington or to commence running electric cars thereon

within the time limited therefor by this by-law, or should the said Company, within the time limited by this grant, neglect to run electric cars on said railway, or any part thereof, after the completion thereof, for the accommodation of the public, as provided by this by-law, or by any rules and regulations of the said Council made in pursuance thereof, for the space of three successive months, or should the said Company, make default in payment of any monies which may from time to time become payable by them under this by-law or in the performance of the agreement to be made in pursuance hereof, then the said Company shall forfeit all privileges and rights which they may have acquired by said grant or by the use or possession of said streets; and in such case the City of Hamilton reserve the right to cause all obstructions and materials placed on said streets by said Company, to be removed therefrom, and the said streets to be put in as good condition and repair as they were before said materials and obstructions were placed therein, and the expense thereof shall be paid to the said City Corporation by said Railway Company; and the said City Council also in such case reserve the right to grant the same rights and privileges to any person or persons, company or companies, free from all charges or liabilities for damage on account thereof. The City Corporation shall have a lien upon all such materials for the expense of the removal thereof and of putting said street in good condition and repair, and shall have the right to sell and dispose of such materials and pay over to the Company or their assigns the residue, if any, of the proceeds thereof after deducting the expenses of and incidental to such sale and the expenses of such removal and repair, or the City Corporation may, without taking up or removing such materials, sell the same, either by public auction or by private contract, for such prices and on such terms of payment as they may deem fair and reasonable, to any person or company who shall undertake to the satisfaction of the Council to operate an electric railway efficiently from Hamilton to Burlington or to a point beyond Burlington, and the City Corporation shall in such case pay over to the Hamilton Radial Electric Railway Company, or their assigns, the proceeds of any such sale, after deducting all expenses thereof or incidental thereto.

**BY-LAW 837.**

If Company fail to complete or operate railway for three months, or fail to pay to City monies payable under this by-law, privileges to be forfeited.

Right of city to cause obstructions and materials to be removed.

Right of City to grant privileges to any other person or company, or to sell materials.

**24.** The grant made by this By-law is hereby declared and agreed to be subject to the condition that no part of the streets hereinbefore mentioned shall be used or occupied by the said Company, its successors or assigns, for any other purpose than as a portion of an electric railway to be regularly and efficiently operated with a car service for passengers of not less than six trains each way daily, for the whole distance between Hamilton and Burlington, except before the 1st day of July, 1897, when it may be operated to Burlington Canal, and that no part of said streets shall be used for the purposes of a local street railway only,

Number of trains to be run daily.

**BY-LAW 837.**

If at any time after 1st July, 1897 Company fail for 2 months to operate railway, between Hamilton and Burlington, right to use streets shall cease.

but local trains or cars may be run thereon as provided by the third clause of this By-law, and not otherwise, and that if the Company, its successors or assigns, shall at any time after the 1st day of July, 1897, for a period of two months, fail or cease to operate said railway regularly and efficiently for the whole distance between Hamilton and Burlington, the right granted by this By-law to the use of said streets shall cease, and thereupon the City Corporation may exercise the powers contained in the last preceding clause of this By-law for the removal or sale of the materials or obstructions placed by the Company in said streets. No waiver of any forfeiture or determination under this condition of the right granted by this By-law to use or occupy said streets or part of streets for an electric railway, shall be treated or construed as a waiver of this condition, but a forfeiture or determination of such right may be enforced under this condition for any subsequent breach thereof.

Mileage rate payable to city.

When to commence.

**25.** The Company shall pay to the City Corporation in quarterly payments during each year the sum of \$300 per annum on every mile of their railway and switches laid upon any street within the city limits, such payments to commence at the expiration of five years from the date of the passing of this By-law ; but no mileage shall be charged upon any portion of the track of the said railway within the city limits during the time that the said Company are operating with a daily service as part of their line within the city a railway extending from the City of Guelph or from the Town of Oakville to their terminus in the City of Hamilton.

Poles.

**26.** The poles to be used for the Company's wires on any portion of the City streets shall be of wood or iron and of the most improved pattern, except where the Company shall use the poles of any telegraph or telephone company, and the wooden poles used by the Company shall be straight and perpendicular, and as nearly as possible of the same shape and size and shall be dressed and painted throughout, and all poles shall be placed on the sides of the street except on Sherman Avenue, where they may be otherwise placed under the direction of the City Engineer, and all the poles of the Company shall be placed in such manner as to obstruct as little as possible the use of the streets for other purposes, and when it becomes necessary to renew the poles, the new poles shall be of iron if the City Council so direct.

Change in electric system.

**27.** The Company may at any time hereafter with the permission of the City Council operate their said railway by any improved system of electric propulsion other than the trolley system should they so desire, provided, that all proper precautions be taken that no increased danger to life or property shall thereby be incurred.



28. Where necessary in cases of fire the Chief Engineer or person in charge of the Fire Brigade shall have the right to cut or pull down any wires of the Company which obstruct the operation of the firemen, or to direct that they shall be so cut or pulled down, and also to require the Company to stop the running of their cars to or near the building or buildings which may be on fire, and the City Corporation shall not be liable for any loss or damage thus caused.

**BY-LAW 837.**

In case of fire wires may be cut and cars stopped running.

29. All works of construction and repair, and of removal and spreading of snow and ice shall be done, and all poles shall be placed under the supervision and to the satisfaction of the City Engineer,

Works, spreading of snow and ice and all poles to be satisfactory to City Engineer.

30. No breaking up of any portion of the streets in the City of Hamilton by or on behalf of the said Company, or any occupation thereof or work of construction thereon by the Company, shall be permitted, unless by special resolution of the City Council until the Company have acquired the right of way for their line from Burlington canal to the eastern City limits, and have graded the whole of their railway between those two points so as to be fit for the laying of the track thereon, nor until the Company shall be ready to proceed immediately with the laying of the ties and rails over their whole line from Burlington Canal to the City limits and thence to the terminus of the railway in the City of Hamilton.

Streets not to be broken up until Company has acquired certain right of way.

31. The Company shall securely fix upon the front of each motor car used by them in the streets of the City of Hamilton, and shall use continuously upon each of such motor cars so long as the same shall be running in any of the City streets, a fender or other similar device of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact: but this By-law shall not apply where by reason of a heavy fall of snow the use of a fender upon a motor car is rendered impossible or would obstruct the running of the car, or where, after an accident to a fender, during a trip, the car carrying it is completing such trip.

Fenders.

Penalty.

32. For every breach of the last preceding section of this By-law a penalty of not more than \$50.00, exclusive of costs, may be imposed, and such penalty may be recovered and enforced with costs by summary conviction before the Police Magistrate or any Justice of the Peace for the City of Hamilton, and may be levied by distress and sale of the goods and chattels of the Company.

Penalty may be imposed for every day any such breach may continue.

33. The penalty mentioned in the last preceding section hereof may be imposed for every day that any such

**BY-LAW 687.** breach may continue, and in respect of every motor car which may be operated by the Company in any street in the City of Hamilton without having securely fixed upon the front of the car a fender or other similar device of such form and construction and so placed upon the car as to prevent, as far as possible, the killing or injuring of any person with whom such car when being operated in any of the City streets may come in contact, but such penalty shall not be imposed in cases where this By-law does not apply as provided in the exceptions contained in the 31st section hereof.

Proviso.

By-law not to take effect until agreement is executed.

**34.** This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said City unless formally accepted by said Company within one month after the passing hereof, by an agreement which shall legally bind the said Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and shall be approved by the City Solicitor ; and such agreement when so approved shall also be executed under the City Seal by the Mayor or the Chairman of Finance and the City Clerk.

T. BEASLEY,  
*City Clerk.*

GEO. E. TUCKETT,  
*Mayor.*

## BY-LAW No. 687.

*Passed 31st day of October, 1893, respecting the Hamilton, Grimsby and Beamsville Electric Railway Company.*

Preamble.

**W**HEREAS, the Hamilton, Grimsby and Beamsville Electric Railway Company was duly incorporated by the Legislature of the Province of Ontario, by an Act passed in the 55th year of Her Majesty's reign, chaptered 95, entitled " An Act to Incorporate the Hamilton, Grimsby and Beamsville Electric Railway Company."

And whereas, by the said Act the said Company are authorized and empowered to construct and maintain and to operate by any motive power, except steam power, a double or single iron or steel railway with one or more branch or branches, and with all necessary side tracks and turnouts for the passage of cars, carriages and other vehicles adapted to the same from some point in the City of Hamilton through the said City and the Townships of Barton, Saltfleet and North Grimsby to a point in or near the

Village of Beamsville in the Township of Clinton, with power to build any part or branch of the said railway in sections.

BY-LAW 687.

And whereas, it is by the said Act provided that the said railway may be carried along and upon such streets and highways as may be authorized by the by-laws of the respective Corporations having jurisdiction over the same, and subject to any restrictions therein or in the said Act contained, and under and subject to any agreements to be made between the Council of any of the said Corporations respectively, and the said Company; and further that the said Company may make and enter into any agreement with any Municipal Council as to the terms of occupancy of any street or highway.

And whereas, by the said Act, the said Company, and any municipality through which the said railway passes, are respectively authorized to make and enter into and perform any such agreements as they may from time to time deem expedient, for the construction or for the maintenance and repair of public roads used by the said railway, and generally for the safety and convenience of passengers, and the non-obstructing or impeding of the ordinary traffic.

And whereas, the said the Hamilton, Grimsby and Beamsville Electric Railway Company (hereinafter called the "Company") have applied to the Corporation of the City of Hamilton for leave to build their railway over certain streets and highways in the City of Hamilton, in pursuance of the provisions contained in their said Act of Incorporation, to which the said City Corporation have consented upon the terms and conditions herein contained.

Therefore the Municipal Council of the City of Hamilton hereby enacts as follows :

1. The consent, permission and authority of the Corporation of the City of Hamilton, are hereby granted to the Hamilton, Grimsby and Beamsville Electric Railway Company to construct, maintain and complete an electric railway, consisting of a single track with such switches and turnouts as may be authorized in the manner hereinafter provided, upon and along Main Street from James Street to the easterly side of Sherman Avenue, and to erect all necessary poles and wires and overhead construction along such street for the completion of the said railway on the trolley system and to operate such railway by running cars thereon by means of electricity as a motive power, during the term hereinafter specified, upon and subject to the conditions and agreements hereinafter mentioned or contained.

Company authorized to construct and operate an Electric Railway.

**BY-LAW 687.**

Right to construct on Main Street subject to certain restrictions.

No trains to be run until railway is completed to Winona.

Number of trains to run daily.

Cars not to run west of James St. except cars carry express matter or excursions.

Grant subject to stipulations contained in By-law 624.

Grant subject to further restrictions.

Company to enter into agreement with H. and D. St. Ry. Co. for joint use of tracks &c. on Main St.

2. The grant herein contained of the right to construct said railway upon and along Main Street, from James Street to Sherman Avenue, shall be subject to the following conditions and restrictions mentioned in section 26 of by-law number 624 of the Municipality of the City of Hamilton respecting the Hamilton Street Railway Company, passed on the 26th day of March, 1892, namely: No trains or cars shall be run on said railway until it has been completed to Winona, and no trains or cars except through trains or cars to or from Winona shall be run thereon until the railway has been completed to Grimsby Park, but after said railway has been completed to Grimsby Park, and while, and so long only as it is being operated as a through road with not less than twelve trains each way daily in summer and ten trains each way daily during every other season between Grimsby or Beamsville, whichever may then be the eastern terminus of the railway, and Hamilton, local trains may be run from the easterly limit of Bartonville to James Street, but no passenger trains or cars of, on, or from such railway shall be run upon any railway west of James Street; nor shall any cars or trains be run from the Hamilton and Dundas Street Railway east of Ferguson Avenue, except cars carrying express matter for the Dominion or other express company, or cars carrying excursions to or from the Hamilton and Dundas Street Railway, and except also that construction trains may be run from the Hamilton and Dundas Street Railway east of Ferguson Avenue during the construction of the Hamilton, Grimsby and Beamsville Railway. The grant made by this By-law shall also be subject to any other conditions or restrictions contained in or stipulated for in said By-law Number 624, or to any rights of the Hamilton Street Railway Company under said by-law.

3. The grant herein contained shall also be subject to all the rights, franchises and privileges heretofore granted by any by-law or by-laws of this Council to the Hamilton and Dundas Street Railway Company, and the Hamilton, Grimsby and Beamsville Railway Company before commencing to lay their track on Main street, west of Ferguson Avenue, shall make and enter into an agreement with the Hamilton and Dundas Street Railway Company, which shall have been executed by that Company and approved of by this Council, and whereby the said Companies shall agree to and with each other, for the joint use of the tracks, trolley poles and wires between Ferguson Avenue and James Street, or for the use thereof by the Hamilton, Grimsby and Beamsville Railway Company, and in the event at any time of one company only using that portion of Main Street between James Street and Ferguson Avenue a single track only shall be laid or maintained or be allowed to remain on that portion of Main Street, and then only with such switches and turn-outs as may be reasonably necessary, and as shall be directed and approved in the manner provided by the fifth section of this By-law.



4. The rights conferred upon the said Company by this By-law, and the agreement to be executed in pursuance thereof, shall in no case be taken to prevent the said City of Hamilton, or their grantees, from crossing the railway of the said Company by other railways traversing other streets in which privileges may be granted consistently with the terms of this By-law, but such right to cross the same is hereby expressly reserved.

**BY-LAW 687.**

Right of city reserved to cross tracks by other railways.

5. Such railway shall be so laid that the outer rails on both sides shall be at an equal distance from the centre of the street, and the track shall be of the gauge of four feet eight and one-half inches, and shall be laid with "girder" steel rails for the whole of the line, switches and turn-outs within the City limits, such rails to be of the same weight and pattern as those used by the Hamilton Street Railway Company in the laying of their new tracks, or of such other weight and pattern as may be approved by the City Council, and to be laid in such manner as shall least obstruct the free and ordinary use of the streets, and the passage of vehicles and carriages over the same; and the upper surface of the rails shall be laid flush with the surface of the streets, and shall conform to the grades thereof as they shall be established by profile and cross sections, to be made by the City Engineer at the time such rails are laid; and from the eastern City limits to the east side of Wentworth Street the roadway shall be graded according to such profile and to the full width shewn by such cross sections; by and at the expense of the Company, and from the east side of Wentworth Street to the western terminus of the railway the roadway shall be graded and macadamized or block-paved according to such profile and cross sections, and to the full width of the space between the rails, and for two feet outside of such rails on both sides of the track, by and at the expense of the Company, the material for such macadamizing or block-paving to be supplied by the Company, the macadamizing to extend easterly from the east side of Walnut Street, and the block-paving to extend westerly from that point, but the grade from the east side of Wentworth Street to the westerly terminus of the railway shall be the same as the present grade of Main Street between those points, and in case of grading, paving or otherwise, if it be necessary to relay said rails, the same shall be done at the expense of the said Company, and the whole of such work shall be done and completed to the satisfaction of a majority of the said Council, and in all cases of construction or of relaying the switches and turn-outs shall be laid in such manner at such places and of such extent as the City Engineer shall, under authority to be specially given by the Council, direct and approve.

Tracks to be laid in centre of street.

Style of rails.

Rails to be flush with surface of street.

Grading of streets

Space between rails and two feet outside to be macadamized or paved by company

Company to provide materials.

Work to be done to satisfaction of majority of Council.

6. The space between the rails to be laid for the railway, upon any paved or macadamized street, and for two feet outside of such rails, shall be by the said Company and

Space between rails and for two feet outside to be macadamized or paved by Company.

**BY-LAW 687.**

Materials to be supplied by city.

Dirt and refuse to be removed by Company as directed by Board of Works or City Engineer.

Crossings.

under the direction of and as required by the Board of Works in and for the said City, kept in repair with such material as the said Board of Works may from time to time direct; the materials therefor to be supplied by or at the expense of the said City Corporation, and all dirt and refuse caused by repairs to the said railway track shall be removed therefrom by the Company as may be directed and required by the said Board of Works or the City Engineer, and the said Company shall also construct and keep in good repair crossings of a similar character to those adopted by the said City Council within the limits aforesaid, at the intersection of every such railway track and crossing thereof.

Free passage for vehicles to be kept open during construction of railway.

Street to be left in good condition.

7. During the operation of laying the rails, a free passage for carriages and vehicles over the streets shall be kept open, and immediately after the rails shall have been laid, the paving and macadamizing and other material necessarily removed in laying the same, shall be replaced in a good substantial manner as before such removal, and the surface of the street shall be made flush with the rails; no portion of the surface of the streets shall be kept broken or disturbed for a greater time than one week, and all surplus street material shall be carefully removed by the said Company and deposited in such place or places as may be directed by the Board of Works or the City Engineer.

Time for completion of railway

8. The construction of the said electric railway shall be completed from the City of Hamilton to the Village of Grimsby, and electric cars running thereon before the 1st day of November, 1894.

City not to be liable for any damages.

9. And it is hereby expressly declared that the Corporation of the City of Hamilton shall not be held liable to the said Railway Company for any damage the said Company may incur or sustain from the breakage of any sewer or water pipes, or for any delay that may be caused by the construction of sewers, the laying of water pipes, or the necessary repairing of same, or from any other delay or damage that may be caused by freshets, fire or otherwise, or from repairs, changes or improvements in the streets.

Rights of city and certain Companies not to be affected or impaired.

Railway to be laid down subject to rights of City and Companies

10. All rights now, or that may hereafter be vested in the City Corporation, or in any gas company, telephone, telegraph, electric light or other company, in respect to the care and improvement of the streets, the construction of sewers, culverts or drains, and the laying of water or gas pipes therein, or the placing of poles or wires, are in no way to be affected or impaired by any privilege that may be granted to the said Company; but the said railway must be laid down and maintained, subject to the rights of the said City Corporation and the said Companies to take up, alter, repair or remove sewers, water and gas pipes, and to place poles and wires, and subject to all other purposes within

the province and privilege of the said Corporation of the City of Hamilton, without claim for damages against the said Corporation or any of the said Companies, and the said City Council expressly reserve to themselves the right hereafter to lay down, or permit to be laid down, in the said streets, gas or water pipes, or sewers, and place or permit the placing of poles and wires, and to alter, improve and repair said streets whenever the public or private convenience may require.

**BY-LAW 687.**

Rights of City reserved.

When streets are paved work to be done by City.

Company to keep space between rails and two feet outside in repair.

**11.** Whenever it shall be deemed necessary by the City Council to pave any street occupied by the railway tracks of the said Company, that portion of such street embraced between the outer lines of the rails of such tracks, switches and turnouts, shall in the first instance, be paved by and at the expense of the said City Corporation; but thereafter, during the continuance of this grant, the same shall be kept in repair, to the satisfaction of the Board of Works by the said Railway Company, the material for such repairs to be supplied at the expense of the City.

Company to be liable for any loss or injury sustained.

Company to indemnify City against loss, damages, &c.

Guard wires.

**12.** The said Railway Company shall be liable for any loss or injury that any person may sustain by reason of any carelessness, neglect or misconduct of their agents or servants, in the management, construction or use of their railway; and the said Company shall indemnify and hold the said Corporation of the City of Hamilton harmless from any damage that may be claimed by property holders, or by any person or persons on account of the laying of their tracks, or the use thereof, or the running of cars thereon, and shall indemnify the City Corporation against all damages, actions, costs and expenses, they may pay, incur, or be put to by reason of any danger or injury from any electric system adopted by the Company, and shall by the use of guard wires or other sufficient means protect all the City fire alarm wires, and all telegraph or telephone wires from contact with the electric wires which may be used by the Company for the working of the railway.

Railway not to be opened to public until sanction of Council is obtained.

Certificate of City Engineer as to condition of railway.

**13.** No part of said railway within the City limits shall be opened to the public, or put in operation, until the sanction of the Council has been previously obtained by means of a special resolution to that effect, and such sanction shall only be granted upon a certificate from the City Engineer or other officer especially appointed by the said Council for that purpose, declaring the said railway to be in good condition and constructed conformably to the conditions prescribed by this By-law on that behalf.

Company to provide good cars with modern improvements.

**14.** The said Company shall place and continue on said railway good cars, with all the modern improvements for the convenience and comfort of passengers, including lighting and heating, and they shall run cars thereon as the



**BY-LAW 687.** public convenience may require, under such directions as the City Council may from time to time prescribe, but subject to the conditions and restrictions mentioned or contained in the second section of this By-law or in By-law number 624 therein referred to, and no permanent business sign shall be carried on the outside of the cars for advertising purposes, within the City limits.

Permanent business signs not to be carried on outside of Cars.

Date when franchise expires.

Conditions on which City may assume ownership of railway.

Arbitration

**15.** The privileges granted by this By-law shall (subject to the provision hereinafter mentioned) extend until the twenty-second day of December, 1913, but at the expiration thereof the Corporation of the City of Hamilton may, after giving six months' notice, prior to the expiration of the said term, of their intention, assume the ownership of the railway, and all real and personal property in connection with the working thereof (including that part outside the Corporation limits), on payment of their value, to be determined by arbitration; and in case the said Corporation should fail in exercising the right of assuming the ownership of said railway at the date aforesaid, the privileges granted by this By-law shall continue, but the said Corporation may, at the expiration of every five years, to elapse after the said date, exercise the same right of assuming the ownership of the said railway and of all real and personal estate thereto appertaining, after one year's notice to be given preceding the expiration of every fifth year, as aforesaid, and on payment of their value, to be determined by arbitration; and any arbitration under this clause shall be subject to the provisions of the Municipal Act and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration.

Terms upon which privileges granted shall continue after expiration of present franchise.

Arbitration.

City may elect to continue privileges under terms contained in this by-law.

**16.** If the City Corporation shall not give notice under the last preceding section of this By-law of their intention to assume the ownership of the railway, or if they shall not assume the ownership thereof pursuant to such notice, they may at any time give notice in writing to the Company of their intention to refer to arbitration the terms and conditions upon which the privileges hereby granted to the said Company should continue, and the period (not exceeding twenty years) for which they should so continue, and any arbitration under this section shall be subject to the provisions of the Municipal Act, and of the Acts respecting arbitrations and references, and the arbitrators shall have all the power of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration; but the City Corporation may, after the arbitrators have made their award, elect to continue the privileges hereby granted upon the terms contained in this By-law instead of under the terms contained in said award, if the Council of said City shall, within three months after the publication of such award, pass a By-law to that effect, in which case the City shall pay the costs of the arbitration.



**17.** In case the said Railway Company shall fail to keep the streets in which their railway shall be laid, in good repair, according to the provisions of this By-law, and shall neglect to make such repairs for two days, after notice in writing from the City Engineer, Street Commissioner or other officer having supervision of repairs of streets, served upon the President, Secretary, Superintendent, or other managing officer of the said railway, specifying the repairs, then, and in such case, the City Corporation shall have the right to cause such repairs to be made, and to collect the cost thereof from the Railway Company.

**BY-LAW 687.**

If Company fails to keep streets in repair, city may do the work and collect cost from Company.

**18.** Whenever it shall be necessary to remove any snow or ice from the track or tracks, switches or turnouts of the said road, the same shall be removed by the said Company in such manner, and be so evenly spread on the street as not to obstruct the free passage of sleighs or other vehicles along each street, or in crossing the same at or upon cross streets, and if such snow or ice shall not be so removed and evenly spread by the Company when required by notice in writing from the City Engineer, Street Commissioner or other officer having charge of the streets, it may then be removed or evenly spread by the City Corporation, who shall be entitled to collect from the Railway Company the cost of such work. The use of salt for the purpose of removing snow or ice from any of the said tracks is hereby prohibited.

Snow and Ice, removal of.

Use of salt prohibited.

**19.** It is expressly provided hereby that a majority of the Directors of the said Railway Company shall at all times be residents of the said City of Hamilton or County of Wentworth.

Majority of Directors to be residents of City or County of Wentworth.

**20.** The following specifications, regulating the running of the said railway, shall be observed by the said Company.

Specifications.

(a) The cars to be used on the said railway shall be propelled by electricity as a motive power, and shall be run as the said Council shall provide, as often as public convenience shall require or the said Council prescribe, but no by law or regulation shall be made by the Council inconsistent with the second section of this By-law, and all the regulations made and powers given by this By-law are declared to be subject to the conditions and restrictions mentioned or contained in said second section, or in By-law number 624 therein referred to.

Cars to be propelled by electricity and be run as public convenience requires.

(b) The said Company may charge and collect from every person, on entering any of their cars or carriages, for riding any distance on their railway within the City in the same continuous route, a sum not exceeding five cents, except children under five years of age accompanied by parents or other person having them in charge, such children to ride free, provided they do not occupy seats, and

Fares.

**BY-LAW 687.**

Children's tickets.

Police and firemen to be carried free.

Company may charge for carrying packages.

Cars on the same track not to approach each other nearer than 100 ft.

Rate of speed.

Rate of speed turning corners.

Cars not to stop on crossings or street intersections.

Number of men to be in charge of car.

Conductors to be careful sober and prudent.

Passengers not to enter or leave cars while in motion.

Signal lights.

Gong.

shall, within the City, carry children between five and twelve years of age for a cash fare of three cents, or give ten children's tickets for twenty-five cents; and also carry free of charge within the city all police constables in uniform and all city detectives wearing badges, and all firemen in uniform going to or from a fire.

(c) The Company may also charge a reasonable compensation for carrying packages.

(d) Cars running in the same direction, or in opposite directions on the same track, shall not approach each other within a distance of 100 feet, except in case of accident, or when it may be necessary to connect them together, and also except at stations and turn-outs; and the rate of speed of all cars shall be subject to the direction of the City Council from time to time.

(e) While the cars are turning the corners from one street to another, they shall be run at the rate of not more than four miles an hour.

(f) No car shall be allowed to stop on a cross-walk or in front of any intersecting street, except to avoid collision or to prevent danger to persons in the streets, or for other sufficient cause; nor shall any car be left or remain standing on any street at any time unless the same is waiting for passengers.

(g) There shall be not less than two men in charge of each motor car, and an additional man in charge of any one or more trailers, and when any car is stopped at the intersection of streets to receive or leave passengers, it shall stand so as to leave the rear platform slightly over the crossing.

(h) It shall be the duty of the Company to employ careful, sober and prudent conductors to take charge of their cars while on the road, and it shall be the duty of such conductors, so far as may be practicable, to keep a vigilant watch for all teams, carriages, and persons on foot, and especially children, either upon the track or moving towards it; and on the first appearance of danger the car shall be stopped in the shortest time and space possible.

(i) The conductors shall not allow any passengers to enter or leave the car while in motion.

(j) The cars, after sunset, shall be provided with colored signal lights, and a bright head light on every motor car, and each motor car shall have a gong attached to it which shall be kept ringing at all times when approaching a crossing or when necessary to give warning.

(k) It shall and may be lawful to and for all and every person and persons whatsoever, to travel upon and use the said tracks with their vehicles, loaded or empty, when and so often as they may please, provided they do not impede or interfere with the cars of the said Company running thereon.

**BY-LAW 687.**

Persons allowed to travel on tracks.

(l) The cars shall be entitled to the track and any horse or vehicle upon the track of said Company shall turn out when any car comes up so as to leave the track unobstructed, and anyone placing an obstruction on the track, except as authorized by this By-law, or the driver of any vehicle refusing to turn out when requested by the conductor of any car, shall be liable to a penalty not exceeding ten dollars and the costs of prosecution on conviction before the Police Magistrate, and such penalty may be imposed for every day that such obstruction may continue, but the imposition of any penalty under this By-law shall not relieve the persons causing such obstruction from liability for damages or from any other penalty imposed by law; but if any person or persons shall have any cause to remove any building or other large and heavy substance, such person or persons shall be allowed reasonable and sufficient time to remove, load or unload the same without being liable to the penalty attached by this section, provided that any person or persons before removing any building along or across the railway track shall first obtain the consent in writing of the City Engineer or Street Commissioner for such removal.

Cars entitled to track.

Penalty for persons obstructing track.

Removal of buildings consent of City Engineer to be obtained.

(m) Any conductor or other employee who shall collect of any passenger more than the fare prescribed by this By-law shall, on conviction thereof in the Police Court, pay a fine of not less than five dollars for each offence.

Penalty for conductor or employee collecting more than prescribed fare.

(n) The said Company shall keep tickets for sale at some place in the business portion of the City convenient for the people, and also upon their cars, and they shall sell tickets to persons desiring the same at a rate not exceeding twenty-five cents for six tickets for fare to any point within the City limits.

Tickets.

Six tickets for 25 cents.

21. The Company shall also have painted in large plain letters on a conspicuous place on the outside of each car the number thereof, and the name of the route over which the car is to be run, so that such name and number may be readily seen and read by day or night, and each person employed in running a car shall, when so employed, have his number conspicuously shewn on the breast of his coat.

Number of car to be placed outside of car.

Employee to shew number on breast of coat.

22. It is hereby reserved to the said City Council to make such further rules, regulations, orders and by-laws in relation to the construction, repairs and operation of the said railway as from time to time may be deemed necessary

Power reserved by City to make further rules and regulations.

**BY-LAW 687.**

to protect the interests of the said City, or to provide for the safety, welfare or accommodation of the public, but no alteration in these rules shall be made which shall have the effect of impairing the substantial rights of said Company.

If Company fails to complete or to operate their railway for three months, or fail to pay City monies payable under this By-law privileges granted to be forfeited.

Right of City to cause obstructions and materials to be removed.

Right of City to grant privileges to any other person or company or to sell materials or railway.

**23.** Should the Company fail to complete said railway and to commence running electric cars thereon within the time limited by this By-law, or should the said Company, within the time limited by this grant, neglect to run electric cars on said railway, or any part thereof, after the completion thereof, for the accommodation of the public, as provided by this By-law, or by any rules and regulations of the said Council made in pursuance thereof, for the space of three successive months, or should the said Company make default in payment of any monies which may from time to time become payable by them under this By-law or in the performance of the agreement to be made in pursuance hereof, then the said Company shall forfeit all privileges and rights which they may have acquired by said grant or by the use or possession of said street; and in such case the City of Hamilton reserve the right to cause all obstructions and materials placed in said street by said Company, to be removed therefrom, and the said street to be put in as good condition and repair as it was before said materials and obstructions were placed therein, and the expense thereof shall be paid to the said City Corporation by said Railway Company; and the said City Council also in such case reserve the right to grant the same rights and privileges to any person or persons, company or companies, free from all charges or liabilities for damage an account thereof. The City Corporation shall have a lien upon all such materials for the expense of the removal thereof and of putting said street in good condition and repair, and shall have the right to sell and dispose of such materials and pay over to the Company or their assigns the residue, if any, of the proceeds thereof after deducting the expenses of and incidental to such sale and the expenses of such removal and repair, or the City Corporation may, without taking up or removing such materials, sell the same, either by public auction or by private contract, for such prices and on such terms of payment as they may deem fair and reasonable, to any person or company who shall undertake to the satisfaction of the Council to operate an electric railway efficiently from Hamilton to Winona, Grimsby or Beamsville, and the City Corporation shall in such case pay over to the Hamilton, Grimsby and Beamsville Electric Railway Company, or their assigns, the proceeds of any such sale, after deducting all expenses thereof or incidental thereto, but no sale of such materials without removal thereof shall be made by the Company or by the City Corporation to any person or company to be used for local street railway purposes alone, but only as part of an electric railway to be operated efficiently from Hamilton to Winona, Grimsby or



Beamsville, nor shall the right to the use or occupation of Main Street be transferable by the Company without the consent of the City Council, to be given by by-law, permitting such transfer and approving of the terms and conditions thereof, and if the Company shall make or attempt to make any transfer or sub-lease of the right to use Main Street, or any portion of it for street railway purposes, without such consent of the City Council, the privileges granted by this By-law shall cease and become void.

**BY-LAW 687.**

Right to use Main St. not to be transferred without consent of Council.

**24.** The grant made by this By-law is hereby declared and agreed to be subject to the condition that no part of Main Street shall be used or occupied by the said Company, its successors or assigns, for any other purpose than as a portion of an electric railway to be regularly and efficiently operated with a daily frequent car service for passengers and daily cars for freight and express matter for the whole distance between Hamilton and Winona, Grimsby or Beamsville, whichever may be the eastern terminus of the railway, and that no part of Main Street shall be used for the purposes of a local street railway only, but local trains or cars may be run thereon as provided by the second clause of this By-law, and not otherwise, and that if the Company, its successors or assigns, shall at any time after the first day of November, 1894, for a period of twelve months, fail or cease to operate said railway regularly and efficiently for the whole distance between Hamilton and Winona, Grimsby or Beamsville, whichever may be the eastern terminus of the railway, the right granted by this By-law to the use of Main Street shall cease, and thereupon the City Corporation may exercise the powers contained in the last preceding clause of this By-law for the removal or sale of the materials or obstructions placed by the Company in said street. No waiver of any forfeiture or determination under this condition of the right granted by this By-law to use or occupy part of Main Street for an electric railway, shall be treated or construed as a waiver of this condition, but a forfeiture or determination of such right may be enforced under this condition for any subsequent breach thereof.

Local traffic.

If Company fails for twelve months after 1st. Nov 1894 to operate railway regularly right to use Main St. shall cease.

**25.** The Company shall pay to the City Corporation, in quarterly payments during each year, the sum of \$300 per annum on every mile of single track within the City limits; such payment to commence from the expiration of ten years from the date of the passing of this By-law, but no mileage shall be charged upon any portion of the track of said railway within the City limits, if no part of the railway is constructed west of Ferguson Avenue.

Mileage rate payable to City.

When to commence.

Proviso.

**26.** The poles to be used for the Company's wires on Main Street, west of Ferguson Avenue, shall be of iron and of the most approved pattern, and the wooden poles used by the Company shall all be straight and perpendicular, and

Poles.

**BY-LAW 687.**

as nearly as possible of the same shape and size, and shall be dressed and painted throughout, and all poles shall be placed on the sides of the street in such manner as to obstruct as little as possible the use of the streets for other purposes.

In cases of fire wires may be cut and cars stopped running,

**27.** Where necessary in cases of fire the Chief Engineer or person in charge of the fire brigade shall have the right to cut or pull down any wires of the Company which obstruct the operations of the firemen or to direct that they shall be so cut or pulled down and also to require the Company to stop the running of their cars to or near the building or buildings which may be on fire, and the City Corporation shall not be liable for any loss or damage thus caused.

Works, spreading of snow and ice and poles to be to satisfaction of City Engineer.

**28.** All works of construction and repair, and of removal and spreading of snow or ice, shall be done, and all poles shall be placed under the supervision and to the satisfaction of the City Engineer.

Main St. not to be opened up until certain right of way is secured.

**29.** No breaking up of any portion of Main Street by or on behalf of the said Company, or any occupation thereof or work of construction thereon by the Company, shall be permitted until the Company have acquired the right of way for their line from Winona to the eastern City limits at Main Street, and have graded the whole of their railway between those two points so as to be fit for the laying of the track thereon, nor until the Company shall be ready to proceed immediately with the laying of the ties and rails over their whole line from Winona to the eastern City limits at Main Street and thence to the terminus of the railway in the City of Hamilton.

Company may agree with the Hamilton St. Ry. for use of portions of their tracks.

**30.** The said Company are hereby authorized to enter into an agreement with the Hamilton Street Railway Company for the use of such portion of their tracks in Hamilton as the City Council may by By-law permit, and on such terms as the Council may in the same manner approve; and if the said Company shall enter into an agreement with the Hamilton Street Railway Company for the use of their tracks in the City of Hamilton to any point on King Street west of Sanford Avenue, and such agreement is approved of by the City Council, and the approval thereof declared by a by-law of the Council, the Company shall not, while such agreement is in force, construct, maintain or use any track on Main Street west of Sherman Avenue, but the powers hereby granted for the construction, maintenance and use of such track on Main Street west of Sherman Avenue shall be suspended during the continuance of any such agreement with the Hamilton Street Railway Company.

31. The Company shall, before this By-law takes effect, enter into an agreement with the Corporation of the City of Hamilton that no tolls shall be levied upon any road which may be opened or established by the Company for the use thereof by horses or vehicles passing to or from the City of Hamilton.

**BY-LAW 775.**

No tolls to be levied on any road opened by the Company.

32. This By-law, and the powers and privileges hereby granted, shall not take effect or be binding on the said City, unless formally accepted by the said Railway Company within one month after the passing hereof, by an agreement which shall legally bind the said Company to pay to the City Corporation the sums mentioned in this By-law, and to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and shall be approved by the City Solicitors, or one of them, and such agreement when so approved shall also be executed under the City Seal by the Mayor or the Chairman of Finance and the City Clerk.

By-law not to take effect until agreement is executed.

T. BEASLEY,  
*City Clerk.*

P. C. BLAICHER,  
*Mayor.*

**BY-LAW No. 775.**

*Respecting the Hamilton, Grimsby and Beamsville Electric Railway Company.*

WHEREAS, by By-law No. 687 of the Corporation of the City of Hamilton, the consent, permission and authority of the said Corporation of the City of Hamilton were granted to The Hamilton, Grimsby and Beamsville Electric Railway Company to construct, maintain and complete an electric railway upon and along Main Street from James street to the easterly side of Sherman Avenue, upon and subject to the conditions in said By-law contained.

Preamble.

And whereas in and by said By-law it was enacted as follows :

“ The grant herein contained shall also be subject to all the rights, franchises and privileges heretofore granted by any by-law or by-laws of this Council to The Hamilton and Dundas Street Railway Company, and The Hamilton, Grimsby and Beamsville Railway Company, before commencing to lay their track on Main Street, west of Ferguson Avenue, shall make and enter into an agreement with The Hamilton and Dundas Street Railway Company, which shall

**BY-LAW 775.** have been executed by that Company and approved of by this Council, and whereby the said Companies shall agree to and with each other for the joint use of the tracks, trolley poles and wires between Ferguson Avenue and James Street, or for the use thereof by The Hamilton, Grimsby and Beamsville Railway Company, and in the event at any time of one Company only using that portion of Main Street between James Street and Ferguson Avenue a single track only shall be laid or maintained or be allowed to remain on that portion of Main Street, and then only with such switches and turnouts as may be reasonably necessary, and as shall be directed and approved in the manner provided by the fifth section of this By-law.

And whereas the said The Hamilton, Grimsby and Beamsville Electric Railway Company have made temporary arrangements with The Hamilton and Dundas Street Railway Company and Charles James Myles and William N. Myles their lessee for the use by The Hamilton, Grimsby and Beamsville Electric Railway Company of the present track of the Hamilton and Dundas Street Railway Company along Main Street from Ferguson Avenue to James Street until the 30th day of June, A. D. 1896, as set forth in an agreement dated the 28th day of February, A. D. 1895, made between the said The Hamilton and Dundas Street Railway Company and The Hamilton, Grimsby and Beamsville Electric Railway Company, and in an agreement dated the 1st day of March, 1895, made between Charles James Myles and William N. Myles, the lessees of the said The Hamilton and Dundas Street Railway and the said The Hamilton, Grimsby and Beamsville Electric Railway Company.

And whereas The Hamilton, Grimsby and Beamsville Electric Railway Company have applied to the Corporation of the City of Hamilton for permission and authority to use the track of the said The Hamilton and Dundas Street Railway along Main Street from Ferguson Avenue to James Street in the said City for the period and in the manner provided for by said agreements, and to construct the necessary siding or turnout and switches, and to erect the necessary poles and wires and overhead construction hereinafter mentioned, to which the said City Corporation have consented upon the terms and conditions herein contained.

Therefore the Municipal Council of the City of Hamilton hereby enacts as follows:

Authority granted the Company to use the tracks of the Hamilton and Dundas St. Ry. on Main Street as far west as James St.

1. The consent, permission and authority of the Corporation of the City of Hamilton are hereby granted to The Hamilton, Grimsby and Beamsville Electric Railway Company to use the track of The Hamilton and Dundas Street Railway Company on the terms and conditions con-



tained in the above recited agreements until the 30th day of June, 1896, and to construct, complete and maintain for the said period the necessary connection between the tracks of the said The Hamilton, Grimsby and Beamsville Electric Railway Company and The Hamilton and Dundas Street Railway Company at Ferguson Avenue, also the necessary switches from the track of The Hamilton and Dundas Street Railway Company into the station of the said The Hamilton, Grimsby and Beamsville Electric Railway Company situated on the corner of Main and Catharine Streets in the said City, and a siding or turnout from the present track of The Hamilton and Dundas Street Railway Company, on Main Street, and also to erect all necessary poles and wires and overhead construction along said street to enable the said The Hamilton, Grimsby and Beamsville Electric Railway Company to run their cars on the trolley system along the rails of the said Hamilton and Dundas Street Railway as far west as James Street, and on the said siding or turnout and switches.

BY-LAW 775.

2. No car shall be allowed to remain on said siding or turnout unless the same is waiting for passengers, or for any longer time than ten minutes between four o'clock in the morning and eight o'clock in the evening, or for any longer time than forty-five minutes between nine o'clock in the evening and four o'clock in the morning, and it is hereby reserved to the City Council to make such further regulations as they may think fit as to the time that cars shall be allowed to remain on said siding and to further limit or regulate the time to be allowed for such purposes.

Time cars may  
remain on siding.

3. In all cases of construction or of relaying the switches and siding or turnout, the same shall be laid in such manner, at such places, and of such extent as the City Engineer shall, under authority to be specially given by the Council, direct and approve.

Construction and  
relaying of  
switches &c. to be  
laid as City  
Engineer directs.

4. The rights conferred upon the said The Hamilton, Grimsby and Beamsville Electric Railway Company by this By-law are to terminate on the 30th of June, 1896, in accordance with the said agreement dated the 28th February, 1895, made between the said The Hamilton and Dundas Street Railway Company and The Hamilton, Grimsby and Beamsville Electric Railway Company, unless in the meantime the agreement between the said The Hamilton and Dundas Street Railway Company and The Hamilton, Grimsby and Beamsville Electric Railway Company, referred to in the 3rd paragraph of the said By-law No. 687 of the City of Hamilton, is entered into between the said Companies, and approved of by this Council, and upon or after the said 30th day of June, 1896, if such last mentioned agreement be not entered into with The Hamilton and Dundas Street Railway Company and approved

Time when rights  
conferred by this  
By-law cease.

**BY-LAW 775.**

of by this Council, The Hamilton, Grimsby and Beamsville Electric Railway Company shall, whenever requested to do so by the Corporation of the City of Hamilton under a resolution passed by the Council of said City, remove all switches, sidings, turnouts, poles, wires or other constructions or erections placed by them on Main or James Streets, west of Ferguson Avenue, and restore the streets, wherever the same have been placed, to their former condition and in a good state of repair, and upon their failure to do so within two weeks after receiving notice in writing from the City Engineer requiring such removal, the City Corporation shall have the right to remove all such constructions and erections and restore the streets to their former condition and in good repair and to charge the Company with the cost of such removal and repair.

Provisions and regulations of By-law No. 687 to apply.

5. The provisions and regulations contained in said By-law No. 687 of this Council, passed on the 31st day of October, 1894, respecting The Hamilton, Grimsby and Beamsville Electric Railway Company shall apply to said portion of the Railway between Ferguson Avenue and James Street as to the manner of construction and laying of the said siding or turnout and switches and the materials to be used in the construction of the roadway at such siding or turnout and switches, the placing and erection of poles and wires, and the keeping of the said roadway in repair, and as to the removal therefrom of snow or ice and the running of cars on said railway and all other matters to which the provisions of said By-law No. 687 can be made applicable without being inconsistent with the terms of this By-law.

By-law not to take effect until agreement is executed.

6. This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said City unless formally accepted by The Hamilton, Grimsby and Beamsville Electric Railway Company within one month after the passing thereof, by an agreement which shall legally bind the said Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and shall be approved by the City Solicitor.

Passed the 25th day of March, A. D. 1895.

T. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

IN THE MATTER OF BY-LAW No. 775 OF THE CORPORATION OF THE CITY OF HAMILTON, BY-LAW 775.

AND IN THE MATTER OF THE HAMILTON, GRIMSBY AND BEAMSVILLE ELECTRIC RAILWAY COMPANY, AND THE HAMILTON AND DUNDAS STREET RAILWAY COMPANY.

### SPECIFICATIONS

Specifications.

Of Crossing, Turnout, Switches, Trolley Poles, etc., to be constructed by the Hamilton, Grimsby and Beamsville Electric Railway Company on Main Street in the City of Hamilton, pursuant to the By-law of the City of Hamilton above mentioned.

The several drawings herein referred to are as follows :

Drawings.

A—Plan of the crossing of the Hamilton, Grimsby and Beamsville Electric Railway with the Grand Trunk Railway at Ferguson Avenue.

B—Plan of switches from the line of the Hamilton and Dundas Street Railway into the station of the Hamilton, Grimsby and Beamsville Electric Railway Company on the northwest corner of Main and Catharine Streets.

C—Plan of turnout on Main Street between James and Hughson Streets.

(a) The crossing of the track of the Hamilton, Grimsby and Beamsville Electric Railway with the track of the Grand Trunk Railway at the corner of Ferguson Avenue and Main Street shall be constructed in accordance with the plan hereunto annexed, marked A. and in accordance with the Order in Council of the Railway Committee of the Privy Council, dated the 28th January, 1895, a copy of which order is hereto annexed.

Crossing of G. T.  
R. track by H. G.  
& B. R'y. cor  
Main St. and  
Ferguson Ave.

(b) The switches from the line of the Hamilton and Dundas Street Railway into the station of the Hamilton, Grimsby and Beamsville Electric Railway Company at the northwest corner of Main and Catharine Streets shall be constructed according to the plan hereunto annexed, marked B, and the rails used in the construction of the said switches shall be approved of by the City Engineer.

Switches.

(c) The siding or turnout and alterations on Main Street between James and Hughson Streets shall be constructed under instruction from and with the approval of the City Engineer, and the rails used in the construction of the said turnout shall be what is known as the "Girder

Siding on Main St.

**BY-LAW 775.** Rail," similar to those used by the said Hamilton, Grimsby and Beamsville Electric Railway Company in the construction of their track on Main Street.

**Poles.** Poles—All trolley poles west of Ferguson Avenue to be of iron similar to those now used by the Hamilton Street Railway on James Street.

In other respects the manner of construction shall be the same as set forth in the By-law No. 687 of the Corporation of the City of Hamilton, sections 5, 6 and 7.

Copy file No. 3676.

Copy of Order of the Railway Committee of the Privy Council dated 28th January, 1895.

Order of Railway  
Committee of  
Privy Council  
dated 28th Jan.,  
1895.

On an application, dated the 13th June, 1894, to the Railway Committee of the Privy Council from the Hamilton, Grimsby and Beamsville Electric Railway Company for approval of the place and mode of crossing by their railway of the Grand Trunk Railway on Main Street East, at the intersection thereof by Ferguson Avenue, in the City of Hamilton, as shewn on plans and profiles under file No. 5464½.

After hearing the parties, through their counsel, at a meeting held this date, and duly considering the matter, the Committee approves of the place and mode of crossing of the said railways, as shewn on the said plans and profiles on the following conditions :

A substantial diamond crossing to be laid in at the said point of intersection of the two railways.

Derails, or Scotch blocks, to be inserted in the track of the Hamilton, Grimsby and Beamsville Electric Street Railway, on each side of the Grand Trunk Railway track, the same to be interlocked with a Home Signal on the Grand Trunk Railway track, and to work so that the deraills shall always be open, or the Scotch blocks shall always be set on rail, except when the Home Signal on the Grand Trunk Railway is set against Grand Trunk trains and engines.

The position of the deraills, or Scotch blocks, and Home Signal and the description of the machinery to be provided and other necessary details, to be subject to the approval of the Government Chief Engineer of Railways and Canals.

No electric car of the Hamilton, Grimsby and Beamsville Electric Railway Company, and no train or engine of the Grand Trunk Railway Company, within a distance of



four hundred feet in either direction from this crossing, to approach the same at a greater speed than six miles an hour.

**BY-LAW 601.**

The Hamilton, Grimsby and Beamsville Electric Railway Company to bear and pay the whole cost of the said diamond crossing and Home Signal and their attachments so required, and of the maintenance and working of the same, and of the necessary oil or electric light.

(Signed) ADOLPHE P. CARON,  
*Acting Chairman.*

Certified true copy.

(Signed) COLLINGWOOD SCHREIBER,  
*Secretary Railway Committee, P. C.*

### BY-LAW No. 601.

*Passed 29th day of February, 1892.*

*Respecting the Bell Telephone Company of Canada.*

WHEREAS, the Bell Telephone Company of Canada are desirous of erecting in some of the streets of the City, poles of a greater height than forty feet above the street, in place of their present smaller poles, and also at other points for the extension of their business in the doubling of their wires to subscribers, and may require also to erect other small poles for distributing purposes on the less prominent streets of the City, and in some of the public alleyways, and the Company are also desirous of preventing, as far as possible, for the term of ten years, the erection by any other person, firm or Company, of other lines in the City of Hamilton, for the purpose of carrying on any telephone business, and have agreed to pay to the City the sum of fifteen hundred dollars a year during such period, as a consideration for their entering into the agreement hereinafter mentioned.

Preamble.

The Municipal Council of the City of Hamilton hereby enacts as follows :

1. The agreement set forth in the Schedule appended to this By-law is hereby approved by this Council, and the Mayor is hereby authorized and required to sign said agreement, and affix the City Seal thereto, upon receiving a duplicate thereof duly executed by the Bell Telephone Company of Canada, under their Corporate Seal, such

Mayor authorized  
to execute  
agreement.

**BY-LAW 601.** agreement to bear even date with the date of the passing of this By-law.

T. BFASLEY,  
*City Clerk.*

P. C. BLAICHER,  
*Mayor.*

### SCHEDULE REFERRED TO IN FOREGOING BY-LAW.

THIS INDENTURE made the twenty-ninth day of February, one thousand eight hundred and ninety-two.

Agreement.

BETWEEN

THE BELL TELEPHONE COMPANY OF  
CANADA, (Limited,) hereinafter called the Com-  
pany, of the first part,

—and—

THE CORPORATION OF THE CITY OF  
HAMILTON, hereinafter called the City, of the  
second part.

Preamble.

Whereas it may be necessary for the Company to erect in the streets of the City of Hamilton poles of a greater height than 40 feet above the street, in place of their present smaller poles, and also at other points for the extension of their business, and the doubling of their wires to subscribers (which work it is supposed will be absolutely unavoidable should the City grant any franchises for the electric street railway on the trolley system), the estimated number of such poles that will probably be required to replace smaller ones in the immediate future being 312, in addition to 146 already erected, and the Company may require also to erect other small poles for distributing purposes on the less prominent streets of the City, and in some of the public alleyways and the Council of said City have passed a by-law authorizing the execution of this agreement, and consenting to the terms therein contained.

Now this agreement witnesseth that the said parties do hereby mutually covenant and agree as follows :

1. The City covenant and agree that they will not for a period of ten years from the date hereof give to any person, firm or company other than the Bell Telephone Company of Canada (Limited), any license or permission to use any of the streets or lanes of the City for the purpose of placing in, upon or under such streets or lanes, any poles, ducts or wires for the purpose of carrying on any telephone business.

City agree not to grant any person or company permission to erect poles for carrying on of a telephone business for ten years.

**BY-LAW 601.**

2. The City agree that they will permit the Company to erect under the supervision of the City Engineer, poles of as much greater height than 40 feet above the street as may be necessary in place of the Company's present smaller poles, wherever the erection of such higher poles is necessary for the purposes of the Company, and will also permit the Company to erect, under the same supervision, such additional small poles for distributing purposes as may be necessary on the less prominent streets of the City, and also in the public alleyways where it is found advisable, provided that the Company shall not interfere in any case with the public right of travelling on or using any street or alleyway.

Permission given to Company to erect poles of greater height than 40 feet.

3. The Company covenant and agree that they will pay to the City the sum of fifteen hundred dollars a year for said period of ten years, in equal quarterly payments of three hundred and seventy-five dollars each, the first of such payments to be made in three months from the date hereof, and that they will not during said period of ten years increase the rate now charged to the City for telephones supplied or to be supplied by them for City service within the limits of the City of Hamilton.

Company to pay City \$1,500 annually.

Charge for City telephones.

4. The Company also covenant and agree that they will keep for the use of the City, free of charge, for the City's fire alarm wires, the top cross arm on every pole which may hereafter be put up or replaced, and that, where particularly desired by the City, they will endeavor, to any reasonable extent, to clear the top cross arm on any of their existing poles in order to give it to the City for the same purpose.

Top cross arms of poles reserved for use of Fire Dept.

5. The Company also agree that they will provide an efficient telephone service in the City of Hamilton, and use modern appliances, including metallic circuits wherever necessary to give good service, and will not during said term of ten years charge the subscribers for any telephone used for a private dwelling house, and for no other purpose, and which can be connected with the present Hamilton Exchange by one mile or less of line, more than thirty dollars a year for unlimited calling, and will not charge for telephones for offices or houses used for trade or any other business purposes, more than forty-five dollars a year where such premises can be connected with the present exchange by half a mile or less of line, except in the case of very large users whose calling rate exceeds ten thousand conversations a year on the average, and for such users the Company reserve the right to make an extra charge or compel them to use and pay for two or more lines instead of one.

Company to provide efficient telephone service.

Rates to subscribers.

6. The Company also agree that if an electric system is adopted for any street railways in the City of Hamilton, or any railways running through the streets of the City, the

Company waives claim for damages.

**BY-LAW 893.** Company shall have no claim against the City or any such street railway or other railway company for damages on account of interference with the working of telephones by reason of induction.

In witness whereof the said parties have hereunto affixed their corporate seals.

Signed,	}	THE BELL TELEPHONE CO. OF	
Sealed and		CANADA (LIMITED),	
Delivered in		by C. F. SISE,	
		<i>President</i>	
presence of	}	CHAS. P. SCLATER,	{ SEAL }
		<i>Secretary-Treasurer.</i>	
	}	P. C. BLAICHER,	{ SEAL }
		<i>Mayor.</i>	

### BY-LAW No. 893.

*Passed 26th May, 1897.*

*A By-law respecting the Cataract Power Company of  
Hamilton (Limited).*

**T**HE Council of the Corporation of the City of Hamilton hereby enacts as follows :

**1.** Subject to the terms and conditions hereinafter set forth and subject to the provisions of R. S. O. chapter 165, an Act respecting companies for Steam and Heating or for supplying electricity for light, heat or power and to any amendments to the said Act the Cataract Power Company of Hamilton (Limited) hereinafter called "the Company" is hereby authorized and permitted to erect poles and string wires within the limits of the City of Hamilton and along such of the streets, highways, lanes or public squares or places thereof as may be necessary for the sale, supply and distribution of electricity or electric current for the purposes of light, heat or power to the customers of the said Company and by means of such system of poles and wiring to conduct electricity or electric current along the said streets, highways, lanes or public squares or places within the limits of the City of Hamilton.

Company authorized to erect poles and string wires.

**2.** In order to prevent the unnecessary multiplication of poles on the streets of the City it is hereby provided as a condition of this By-law that wherever use can, in the opinion of the City Engineer, be made by the said Com-



pany of the poles of the Hamilton Electric Light and Power Company for the purposes of the Company, the same shall be made use of and instead of erecting poles along any street where the poles of the said The Hamilton Electric Light and Power Company have already been erected the obligation is hereby cast upon the Company of making such arrangements with the said the H. E. L. and P. Company as will entitle the Company to the use of the poles of the said H. E. L. and P. Company. All new poles shall be straight, smooth and to the satisfaction of the City Engineer, and shall be painted by the Company in such manner and at such times as he shall require.

BY-LAW 893.

Poles.

3. The Company shall provide all insulators, safety devises and lightning arresters necessary for the proper insulation of their lines, and for the protection of the property of the City Corporation, and of all other persons or corporations within the City of Hamilton, and of the lines of other companies ; and all wire used shall be covered with the best quality of weather-proof insulation, and shall, as far as possible be rendered harmless.

Insulation of lines.

4. No current of electricity shall be carried upon any wire within the City of Hamilton of a greater voltage than twenty five hundred volts, and proper and suitable provisions shall be made by means of return wires or other sufficient appliances for the return of the current to the Company's power house without its reaching the ground or doing any injury to the City water pipes or to gas pipes or other underground plant or constructions.

Voltage of current

*(Section 4 is amended by By-law No 916, passed 27th December, 1897.)*

(Note.)

5. Should at any time such improvements be made in methods of underground insulation as will in the opinion of the City Engineer provide a safe, practical and economical system of distributing electric current, the Company shall have the right of way through, under and along such streets, highways, lanes or public places or squares of the City as may be necessary for the conduits, mains, feeders, pipes, wires or transformers of the Company in conducting electricity or electric current for sale supply and distribution as aforesaid, such new method of conducting electricity to be first approved of by the City Council.

Right of way granted for underground insulation.

6. The City Engineer shall have the right and power, and it shall be his duty to oversee and prescribe the manner in which and the places where streets, highways and public squares and places shall be opened for the erection of poles or for the placing of wires underground ; and it is hereby provided that the Company shall, and it shall be the duty of its Chief Engineer to see that the Company shall in all cases put back the surface of the streets into their

Erection of poles and placing of wires underground to be supervised by the City Engineer.

**BY-LAW 893.**

original condition or as nearly so as possible to the satisfaction of the City Engineer at the entire and exclusive cost of the Company.

In cases of fires  
wires may be cut.

7. It is hereby provided that the wires of the Company may be cut in case it may be necessary for extinguishing fires by the order of the Chief of the fire department, and in such case the Company shall not be entitled to be compensated by the City for the loss of such wires.

Company to make  
good to City all  
damage or loss  
sustained by reason  
of exercise of  
Company's powers.

8. The Company shall make good to the City Corporation all damage or loss which may be caused by the works or operations of the Company to any water pipes or other property of the City, and all expenses incurred by the City by reason of such works or operations, and shall indemnify and save harmless the City Corporation against all claims for damages or loss, or damage which may at any time be suffered by the City by reason of the exercise by the Company of the powers and privileges hereby granted.

Date when line of  
wiring to be completed.

9. The powers and privileges hereby granted to the Company shall absolutely cease and determine unless before the expiration of one year from the date of the passing of this By-law the Company shall have completed a line of wiring from the power house in the County of Lincoln to the limits of the City, and shall have so far completed their works as to be ready to commence delivering electric power to customers in the City of Hamilton.

(Note.)

*(Section 9 is amended by By-law 916, passed  
27th December, 1897.)*

Company if requested by Council  
to grant any other  
Company the use  
of their poles.

10. In order to prevent a monopoly by the Company and to avoid the erection of unnecessary poles in the City streets the Company shall, if requested by resolution of the City Council, grant to any other company the privilege of stringing wires upon any poles erected by or belonging to or under the control of the Cataract Power Company for the supply and distribution of electricity for the purposes of light, heat or power, such other company paying for the privilege such compensation as may be agreed on with the Cataract Power Company or as may be fixed by arbitration, and the Company shall also allow the City Corporation to string wires on their poles for their fire alarm or police signal systems whenever required to do so by resolution of the Council.

If Company amalgamates, privileges granted to  
cease.

11. If the Cataract Power Company shall amalgamate or enter into a combination with the Niagara Falls Power Company, or the Canadian Niagara Power Company or their assigns or shall come under the control of either of those companies, the privileges granted to the Company by this By-law shall cease and determine.

## BY-LAW 893.

**12.** The privileges granted by this By-law shall (subject to the provisions hereinafter mentioned) extend until the twenty-second day of December, 1948, but at the expiration thereof the Corporation of the City of Hamilton may, after giving six months' notice, prior to the expiration of the said term, of their intention, assume the ownership of the rights and franchises of the Company, and all real and personal property in connection with the working thereof (including that part outside the Corporation limits), on payment of their value, to be determined by arbitration; and in case the Corporation shall fail in exercising the right of assuming the ownership of said rights, franchises and property at the date aforesaid; the privileges granted by this By-law shall continue, but the said Corporation may, at the expiration of every five years, to elapse after the said date, exercise the same right of assuming the ownership of the said rights and franchises and of all real and personal estate thereto appertaining, after one year's notice to be given preceding the expiration of every fifth year, as aforesaid, and on payment of their value, to be determined by arbitration; and any arbitration under this clause shall be subject to the provisions of the Municipal Act and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration.

Date when franchise expires.

Terms upon which City may assume ownership of the rights and franchises of the Company.

Arbitration.

**13.** If the City Corporation shall not give notice under the last preceding section of this By-law of their intention to assume the ownership of the Company's rights, franchises and property, or if they shall not assume the ownership thereof pursuant to such notice, they may at any time give notice in writing to the Company of their intention to refer to arbitration the terms and conditions upon which the privileges hereby granted to the said Company should continue, and the period for which they should so continue, and any arbitration under this section shall be subject to the provisions of the Municipal Act, and of the Acts respecting arbitrations and references, and the arbitrators shall have all the powers of arbitrators appointed under the said Acts, and each party shall pay half the costs of the arbitration; but the City Corporation may, after the arbitrators have made their award, elect to continue the privileges hereby granted upon the terms contained in this By-law instead of under the terms contained in said award, if the Council of said City shall, within three months after the publication of such award, pass a By-law to that effect, in which case the City shall pay the costs of the arbitration.

Terms upon which privileges may continue.

Arbitration.

**14.** Should the Company fail to complete said line of wiring and to commence delivering electric power to customers in the City of Hamilton within the time limited by this By-law, or should the Company within the time limited



**BY-LAW 893.**

If Company fails to complete line, or to supply electric power, or refuse to deliver electricity for six months or fail to pay to City monies payable under this By-law the privileges granted shall cease.

Right of City to remove obstructions, and to grant privileges to any other person or company.

by this grant, neglect or refuse to supply and distribute electricity in the City of Hamilton for the purposes of light, heat, or power for the use of customers for the space of six successive months, or should the said Company make default in payment of any monies which may from time to time become payable by them under this By-law or in the performance of the agreement to be made in pursuance hereof, then the said Company shall forfeit all privileges and rights which they may have acquired by said grant or by the use or possession of said streets; and in such case the City of Hamilton reserves the right to cause all obstructions and materials placed in said streets by said Company, to be removed therefrom, and the said streets to be put in as good condition and repair as they were before said materials and obstructions were placed therein, and the expense thereof shall be paid to the said City Corporation by said Company; and the said City Council also in such case reserves the right to grant the same rights and privileges to any person or persons, company or companies, free from all charges or liabilities for damages on account thereof. The City Corporation shall have a lien upon all such materials for the expense of the removal thereof and of putting said streets in good condition and repair, and shall have the right to sell and dispose of such materials and pay over to the Company or their assigns the residue, if any, of the proceeds thereof after deducting the expenses of and incidental to such sale, and the expenses of such removal and repair, or the City Corporation may, without taking up or removing such materials, sell the same, either by public auction or private contract, for such prices and on such terms of payment as they may deem fair and reasonable, and the City Corporation shall in such case pay over to the Company, or their assigns, the proceeds of any such sale, after deducting all expenses thereof or incidental thereto.

Change in system.

Conditions respecting if, requested by City.

**15.** If the City shall by a two-thirds vote of the Council request the Company to adopt any other safe, practical and economical system than the system first adopted by them of conducting and distributing electric power within the City of Hamilton, such other system shall be adopted by the Company at their own expense within two years after the passage of any such resolution of the Council, and the poles and wires and overhead construction used by the Company within the City of Hamilton, so far as they may not be required for their new system shall be removed by the Company within that time, provided that the Company shall not be obliged to make any changes in the system first adopted by them of conducting and distributing electricity within the City of Hamilton before the expiration of five years from the passage of this By-law, or after the expiration of forty years from the passage of this By-law, and in the case of their being requested by the City Council to make any such change they shall, upon giving notice in writing of their intention to do so within two months after the pass-



age of such resolution, have the right to appeal to a board of arbitrators, consisting of three persons, one of whom shall be named in the notice of appeal given by the Company, and one shall be named by the City within two months after receiving such notice, and the third shall be appointed by the two so named, or in case of their failure to appoint such third arbitrator within one month after the appointment of the City's arbitrator, he may, upon application by either party, after one week's notice to the other, be appointed by a judge of the high court, and if such arbitrators, or the majority of them, declare by their award in writing, signed by them, that the request of the City Council is unreasonable, the Company shall not then be obliged to make the change except upon such terms as to contribution by the City to the cost thereof or otherwise as the said arbitrators, or a majority of them, may by such award, decide to be fair and just; and the City shall have the option of withdrawing their request or submitting a by-law for the assent of the electors, under the provisions of the Municipal Act, to authorize the necessary expenditure on their part for such change, and if such by-law be not assented to by the electors within three months after service on the City of a copy of the award, the request shall be deemed to be abandoned.

BY-LAW 893.

Arbitration.

**16.** All rights that now are, or may hereafter be vested in the City Corporation, or in any gas company, telephone, telegraph, electric light or other company, in respect to the care and improvement of the streets, the construction of sewers, culverts, or drains, and the laying of water or gas pipes therein, or the placing of poles or wires, are in no way to be affected or impaired by any privilege that may be granted to the said Company; but the said poles and wires must be placed and maintained, subject to the rights of the said City Corporation and the said Companies to take up, alter, repair or remove sewers, water or gas pipes, and to place poles and wires and subject to all other purposes within the province and privilege of the said Corporation of the City of Hamilton, without claim for damages against the said Corporation or any of the said Companies, and the said City Council expressly reserve to themselves the right hereafter to lay down or permit to be laid down, in the said streets, gas or water pipes, or sewers, and place or permit the placing of poles and wires, and to alter, improve and repair said streets whenever the public or private convenience may require.

Rights of City and certain Companies not to be affected or impaired.

**17.** The Company shall during the entire period of this grant supply electricity at reasonable rates, to such extent as the capacity of its plant and its facilities for increasing the same will permit, to all persons and corporations, including the City Corporation, desiring the same in the City of Hamilton at any points situate along any of its

Company to supply electricity at reasonable rates.

**BY-LAW 893.** lines of transmission or within 2000 feet thereof upon their complying with such general rules and regulations not inconsistent herewith as the Company may make with respect thereto, provided the quantity required by any such applicant shall not be less than twenty-five daily horse power per annum.

Proviso

Under certain conditions City Council may order and direct Company to supply electricity to applicants.

**18.** Whenever said Company shall have received bona fide applications for power aggregating two hundred horse power, to be furnished within a radius of half a mile from any point in any part of the city where it has not constructed a line of transmission, and the applicants shall have tendered such Company contracts for the use of power aggregating said amount for at least one year, accompanied by their several bonds for the performance of such contracts with two or more sureties with proper affidavits of justification, which contracts shall conform to said Company's general rules and regulations not inconsistent herewith, then and in such case the City Council may order and direct that said Company within six months thereafter shall extend its line of transmission and furnish electricity to such applicants in the manner and on the conditions hereinbefore provided, so far as the capacity of its plant and its facilities for increasing the same will permit.

Company to supply City with current for lighting at reasonable rates.

**19.** The Company shall supply to the City Corporation at reasonable rates, which shall not be higher than the rates charged to others using a similar amount of power in the City of Hamilton, such quantities of electric current as the City may require for purposes of electric lighting, upon the Company receiving one year's notice in writing that electric power is required by the City Corporation from the Company for such purposes, provided the capacity of its plant and its facilities for increasing the same will permit.

Proviso.

Company to pay City \$1.00 per annum per pole erected.

**20.** The Company shall pay to the City Corporation the sum of one dollar per annum for every pole erected and maintained by the Company upon any public street, highway, lane or public square or place within the City, such payment to be made on the 22nd day of December in each year for every such pole then standing, and which has been maintained for six months or more before that date, and to be in addition to the municipal taxes payable by the Company.

Company to file with City Clerk plan, shewing streets in which it proposes to erect poles, string wires &c.

**21.** The Company shall, before beginning any work in the City under this By-law, file with the City Clerk a plan drawn to a scale shewing the streets, avenues, alleys and other public places in which it proposes to erect poles, string wires or cables, or lay conduits, and the particular part thereof it proposes to occupy for each such purpose, and shall at the same time, present and file with the City

Clerk definite written specifications of the electrical conductors, wires, poles and conduits proposed to be erected, strung or laid by it, specifying the materials and dimensions thereof, the height of the wires, the depth of conduits, the methods of insulation, and the devices to be used for the protection of life and property.

BY-LAW 893.

22. This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said City unless formally accepted by said Company within one month after the passing hereof, by an agreement which shall legally bind the said Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and shall be approved by the City Solicitor ; and such agreement when so approved shall also be executed under the City Seal by the Mayor or the Chairman of Finance and the City Clerk.

By-law not to take effect until agreement is executed.

THIS AGREEMENT, made the thirty-first day of May, in the year one thousand eight hundred and ninety-seven,

BY AND BETWEEN

THE CATARACT POWER COMPANY OF HAMILTON (LIMITED), hereinafter called the Company, of the first part,

Agreement.

— and —

THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the City Corporation, of the second part.

Whereas, by By-law number 893 of said Corporation passed on the twenty-sixty day of May, 1897, and intituled "A By-law respecting the Cataract Power Company of Hamilton (Limited)," a copy whereof is hereto annexed, permission is granted by the City Corporation to the Company upon and subject to certain conditions, provisos and agreements therein set forth to erect poles and string wires within the limits of the City of Hamilton and along such of the streets, highways, lanes or public squares or places thereof as may be necessary for the sale, supply and distribution of electricity or electric current for the purposes of light, heat or power to the customers of the said Company, and by means of such system of poles and wiring to conduct electricity or electric current along the said streets,

**BY-LAW 893.** highways, lanes or public squares or places within the limits of the City of Hamilton.

And whereas under the provisions of the Joint Stock Companies Letters Patent Act and of the Act respecting Companies for Steam and Heating or for supplying Electricity, Light, Heat or Power, being chapter 165 of the Revised Statutes of Ontario and amendments thereto, the Company have been duly incorporated by Letters Patent for the following amongst other purposes, namely, to manufacture, sell or purchase electric power whether generated by water power, steam or other force and to apply the same in any of the arts or sciences or in the manufacture of any article or in any condition in which the use of electricity is employed, and are authorized by the last mentioned Act and amendments to construct, maintain, complete and operate works for the production and distribution of electricity for purposes of light, heat and power, and to conduct the same by any means through, under and along the streets, highways and public places of cities, towns and other municipalities, but as to such streets, highways and public places only upon and subject to such agreements in respect thereof as shall be made between the Company and the said municipalities respectively and under and subject to any by-law or by-laws of the Councils of said municipalities passed in pursuance thereof.

Now therefore this agreement witnesseth and the parties hereto do respectively covenant and agree to and with each other, as follows :

The Company do hereby accept the said By-law and agree with the City Corporation to pay the City Corporation the sums mentioned in the said By-law, and to perform, observe and comply with all the agreements, obligations, terms and conditions therein contained.

And whereas this Agreement has been approved of by Francis MacKelcan, Esq., Q. C., Solicitor for the City Corporation, testified by his marking each page thereof "approved" and adding his signature thereto.

The City Corporation do hereby agree to accept and do accept these presents and declare the same to be the agreement required to be executed by the Company under the provisions of the said By-law and that such By-law is therefore in full force and effect.

In witness whereof the Company have caused their Corporate Seal to be hereto affixed under the hand of their President and Secretary, and the City Corporation have



caused their Corporate Seal to be hereto affixed under the hand of the Mayor and City Clerk. **BY-LAW 916.**

Signed, sealed and delivered in presence of	}	J. M. GIBSON,	
		<i>President.</i>	
as to signature of John Pat- terson, Henry Stewart.	}	JOHN PATTERSON,	
		<i>Secretary.</i>	{ SEAL }
		E. A. COLQUHOUN,	
		<i>Mayor.</i>	{ SEAL }
		T. BEASLEY,	
		<i>City Clerk.</i>	

### BY-LAW No. 916.

*Passed 27th day of December, 1897.*

*To amend By-law 893 respecting the Cataract Power  
Company of Hamilton (Limited).*

**W**HEREAS by By-law number 893 of this Corporation passed on the 26th day of May, 1897, certain privileges were granted to the Cataract Power Company of Hamilton (Limited) (hereinafter called the "Company"), subject to the condition that such privileges should absolutely cease and determine, unless before the expiration of one year from the date of the passing of said By-law the Company should have completed a line of wiring from the power house in the County of Lincoln to the limits of the City, and should have so far completed their works as to be ready to commence delivering electric power to customers in the City of Hamilton ;

Preamble.

And whereas the Company are proceeding actively with the construction of their works, but by reason of unforeseen delays will probably be unable to commence delivering electric power to customers in the City of Hamilton by the 26th day of May next, and have therefore asked for an extension for three months of the time for commencing to deliver such electric power ;

And whereas the Company propose to construct upon the lands of the Grand Trunk Railway Company the lines for the transmission of their electric current into the City

**BY-LAW 916.**

of Hamilton and desire to extend their high voltage transmission into the City, until the current leaves the land of the Railway Company.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

Time when Company to commence to deliver power extended.

1. The time within which the Company are required to be ready to commence delivering electric power to customers in the City of Hamilton is hereby extended for a further period of three months, namely, until the 26th day of August, 1898.

Voltage of current.

2. Notwithstanding the provisions contained in section 4 of said By-law passed on the 26th day of May, 1897, the Company shall be at liberty to carry a current of electricity of a greater voltage than twenty-five hundred volts into the City of Hamilton to a point east of Victoria Avenue upon the lines to be constructed by them upon the lands of the Grand Trunk Railway Company, provided that the Company shall properly insulate and protect the said lines where they may cross any streets or property of the City and shall carry them a safe distance from any other wires or electric lines in the City.

Proviso.

Provisions and agreements under By-law No. 893 to apply except where varied or modified.

3. All the provisions and agreements contained in said By-law No. 893 shall extend and apply to the lines to be constructed or operated under the authority of this By-law, except in so far as the same are hereby varied or modified.

By-law not to take effect until agreement is executed.

4. This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said City unless formally accepted by said Company within one month after the passing hereof, by an agreement which shall legally bind the said Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained and shall be approved by the City Solicitor ; and such agreement when so approved shall also be executed under the City Seal by the Mayor or the Chairman of Finance and the City Clerk.

THIS AGREEMENT, made the 29th day of December, in the year 1897,

BY-LAW 916.

BY AND BETWEEN

THE CATARACT POWER COMPANY OF  
HAMILTON (LIMITED), hereinafter called the  
Company, of the first part,

—and—

THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the City Corporation,  
of the second part.

Agreement.

Whereas, by By-law No. 893 of the City Corporation passed on the 26th day of May, 1897, and intituled "A By-law respecting the Cataract Power Company of Hamilton (Limited)," permission is granted by the City Corporation to the Company upon and subject to certain conditions, provisoes and agreements therein set forth, to erect poles and string wires within the limits of the City of Hamilton and along such of the streets, highways, lanes or public squares or places thereof as may be necessary for the sale, supply and distribution of electricity or electric current for the purposes of light, heat or power to the customers of the said Company and by means of such system of poles and wiring to conduct electricity or electric current along the said streets, highways, lanes or public squares or places within the limits of the City of Hamilton.

And whereas by By-law No. 916 of the City Corporation amending said By-law No. 893, a copy of which is hereunto annexed, the City Corporation did extend the time within which the Company are required to be ready to commence delivering electric power to customers in Hamilton and did otherwise amend said By-law No. 893.

Now therefore this Agreement witnesseth and the parties hereto do respectively agree to and with each other, as follows :

The Company do hereby accept the said amending By-law No. 916 and agree with the City Corporation to perform, observe and comply with all the agreements, obligations, terms and conditions therein contained.

And whereas this Agreement has been approved of by Francis MacKelcan, Esq., Q. C., Solicitor for the City of Hamilton, testified by his marking each page hereof "approved" and adding his signature thereto.

The City Corporation do hereby agree to accept and do accept these presents, and declare the same to be the

**BY-LAW 916.** agreement required to be executed by the Company under the provisions of said By-law No. 916, and that such By-law is therefore in full force and effect.

In witness whereof the Company have caused their corporate seal to be hereto affixed under the hand of their Vice-President and Secretary and the City Corporation have caused their corporate seal to be hereto affixed under the hand of the Mayor and City Clerk.

Signed, sealed and delivered in presence of	JAMES DIXON, <i>Vice-President.</i>
G. IZZARD,  as to the signatures of James Dixon and John Patterson.	JOHN PATTERSON, <i>Secretary.</i> { SEAL }
	E. A. COLQUHOUN, <i>Mayor.</i> { SEAL }
	T. BEASLEY, <i>City Clerk.</i>



# Appendix—Part 2.

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BY-LAWS

—OF THE—

CITY COUNCIL  
RESPECTING BONUSES.

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- (a) The Hamilton, Grimsby and Beamsville Railway Company.
- (b) The Iron and Steel Smelting Works Company.
- (c) The Toronto, Hamilton and Buffalo Railway Company.

## BY-LAW 681.

## BY-LAW No. 681.

*Passed 24th July, 1893.*

*For granting a bonus of \$25,000 in aid of the Hamilton, Grimsby and Beamsville Electric Railway Company.*

Preamble.

WHEREAS, the Hamilton, Grimsby and Beamsville Electric Railway Company have applied to this Council for a bonus in aid of their railway, and it has been deemed to be in the interest of the citizens, in order to secure the construction and operation of the said Electric Railway, that a bonus of twenty-five thousand dollars should be granted to the said Railway Company upon the terms and conditions agreed upon between this Corporation and the said Railway Company, which terms and conditions are hereinafter set forth.

And whereas, in order to provide the said bonus, it will be necessary to issue debentures of this municipality for the sums of twenty thousand dollars and five thousand dollars respectively, payable as herein provided, if the conditions hereinafter contained with regard to the issuing of such debentures, respectively, are fulfilled.

And whereas, if the said debentures for \$20,000 be issued, it will be requisite to raise by a special rate, for paying the said debentures and interest, the sum of \$1,522.80 annually during the currency of such debentures.

And whereas, if the said debentures for \$5,000 be also issued, it will be requisite to raise by a special rate, for payment of the said debentures and interest, the further sum of \$395.00 annually during the currency of such debentures.

And whereas, the amount of the whole ratable property of the municipality, according to the last revised assessment roll is \$24,465,640.

And whereas, the existing debenture debt of this municipality amounts to \$2,899,045, and no principal or interest is in arrear.

Therefore the Municipal Council of the City of Hamilton enacts as follows:

Authority to issue debentures to amount of \$20,000.

Debentures to bear 4% interest.

1. It shall be lawful for the Corporation of the said City for the purpose aforesaid to issue debentures of the said municipality to the amount of twenty thousand dollars, in sums of not less than one hundred dollars each, payable in nineteen years from the first day of November, 1894, such debentures to bear interest at the rate of four per

cent. per annum from the first day of November, 1894, payable on the first days of May and November in each year, coupons therefor to be attached to said debentures.

**BY-LAW 681.**

Interest when payable.

2. It shall be lawful for the Corporation of said City for the purpose aforesaid to issue debentures of the said municipality to the further amount of five thousand dollars, in sums of not less than one hundred dollars each, payable in eighteen years from the first day of November, 1895, such debentures to bear interest at the rate of four per cent. per annum from the first day of November, 1895, payable on the first days of May and November in each year, coupons therefor to be attached to said debentures.

Authority to issue debentures to amount of \$5,000 with interest at 4%.

3. The said debentures, as to principal and interest, shall be payable at the office of the Treasurer of the said City of Hamilton.

Principal and Interest where payable.

4. It shall be lawful for the Mayor of the said municipality, upon the fulfilment by the said Company of the terms and conditions in that behalf hereinafter contained, and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the said debentures hereby respectively authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of the said municipality; and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures respectively upon the fulfilment by the Company of the said terms and conditions, and such debentures, when so signed and sealed, shall be delivered to the Company.

Debentures to be delivered to Company upon fulfilment of terms and condition herein-after contained.

5. There shall be raised and levied by special rate on all the ratable property in the said municipality, during the term of nineteen years, from the first day of November, 1894, for payment of the interest on the debentures for twenty thousand dollars mentioned in the first enacting clause of this By-law, the sum of \$800.00 during each year of said term, and for payment of the principal of said debentures the sum of \$722.80 during each year of said term.

Special rate for payment of debentures and interest under first enacting clause.

6. There shall be raised and levied by special rate on all the ratable property in the said municipality during the term of eighteen years from the first day of November, 1895, for the payment of the interest on the debentures for five thousand dollars mentioned in the second enacting clause of this By-law, the sum of \$200.00 during each year of said term, and for the payment of the principal of the said debentures, the sum of \$195.00 during each year of said term.

Special rate for payment of debentures under second enacting clause.

7. The votes of the qualified electors of this municipality shall be taken on this By-law by the Deputy Return-

Votes of electors, when to be taken.

**BY-LAW 681.**

ing Officers hereinafter named, on Wednesday, the 5th day of July, 1893, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon, at the undermentioned places :

Polling places.	WARD.	DIV.	PLACE.	RETURNING OFFICER.
Returning Officers.	1	1	666 King st. east,	Alex. Turnbull
	1	2	404 King st. east,	W. P. Smith
	1	3	61 Ferguson ave. south,	Richard Ellicott
	2	1	146 King st. east,	J. M. Ellicott
	2	2	28 Main st. east,	F. R. Hutton
	2	3	209 John st. South,	A. C. Beasley
	2	4	48 James st. south,	William Herman
	3	1	193 King st. west,	R. Corner
	3	2	307 Main st. west,	M. A. Pennington
	3	3	137 Hannah st. west,	Ed. Smith
	3	4	495 King st. west,	William Kingdon
	3	5	299 Herkimer st. west,	Joseph Kent
	4	1	58 Caroline st. north,	Robert Bryce
	4	2	136 Cannon st. west,	Charles Blackman
	4	3	440 King st. west,	James Weatherston
	4	4	Cor. York and Queen,	Louis McDonald
	4	5	378 York st.,	T. Tribute
	4	6	King's Pump Shop, Dundern st.,	Alfred Richmond
	5	1	13 McNab st. north,	A. Hunter
	5	2	City Hall,	Lucian Hills
	5	3	21 Hughson st. north,	Robert Leask
	5	4	149 McNab st. north,	James Clark
	5	5	363 James st. north,	John B. Nelligan
	5	6	503 James st. north,	Wm. Buckingham
	6	1	37 John st. north,	Chas. Reid
	6	2	68 Cannon st. east,	James Byrens
	6	3	113 Rebecca st.,	William Turnbull
	6	4	225 King William st.,	William Allen
	6	5	Shop cor. Barton & John sts.,	James Houlden
	6	6	364 Mary st.,	Thomas Smith
	6	7	83 Picton st.,	Alex. McPherson
	7	1	83 East ave. north,	Hedley Mason
	7	2	55 Ashley st.,	Samuel Robins
	7	3	Cor. Barton & East ave.,	Samuel Scott
	7	4	361 Cannon st. east,	W. H. Martin
	7	5	Cor. Victoria ave. & Albert road,	T. Lawrence
	7	6	Town Hall, Barton,	A. W. Swazie

Appointment of agents.

8. On Monday, the 3rd day of July, 1893, the Mayor shall attend at the Council Chamber at 11 o'clock in the forenoon, to appoint persons to attend at the various polling places, and at the final summing up of the votes by the City Clerk on behalf of the persons interested in opposing or promoting the passage of this By-law.



9. The Clerk of the Council of the said municipality shall attend at his office in the City Hall, in the City of Hamilton, at 11 o'clock in the forenoon of Friday, the 7th day of July, 1893, and sum up the number of votes given for and against the By-law.

**BY-LAW 681.**

Summing up of votes by Clerk.

10. This By-law shall take effect on the 1st day of November, 1893.

Date when By-law takes effect.

### TERMS AND CONDITIONS.

The following are the terms and conditions agreed on between this Corporation and the said Hamilton, Grimsby and Beamsville Electric Railway Company, and the grant made by this By-law is hereby declared to be subject thereto, and to be payable to the said Railway Company in the manner and at the times set forth therein, and not otherwise, and no part thereof shall be paid over to the said Company except in accordance with and upon fulfilment of such terms and conditions :

Terms and conditions.

1. None of the debentures mentioned in the foregoing By-law shall be issued or be delivered to the Hamilton, Grimsby and Beamsville Electric Railway Company until their railway has been completed to Grimsby, but after such railway has been completed to Grimsby and is being operated as a through road, with a daily frequent car service for passengers of not less than eight trains each way daily between the first day of May and the first day of November, and six trains each way daily between the first day of November and the first day of May, and daily cars for freight and express matter, for the whole distance between Hamilton and Grimsby and intermediate points, the sum of twenty thousand dollars of said debentures shall be issued and be delivered to the said Hamilton, Grimsby and Beamsville Electric Railway Company, and when said railway has been completed to Beamsville and is being operated as a through road from Beamsville to Hamilton, with a daily frequent car service for passengers of not less than eight trains each way daily between the first day of May and the first day of November, and six trains each way daily between the first day of November and the first day of May, and daily cars for freight and express matter, for the whole distance between Hamilton and Beamsville and intermediate points, the debentures for the remaining sum of five thousand dollars of the bonus hereby granted shall be issued and be delivered to the said Company.

Debentures not to be delivered to Company until railway is completed to Grimsby

Number of trains to be run daily.

Debentures for \$20,000 to be delivered to Company when railway is completed and operated to Beamsville.

Number of trains to be run daily.

2. If the said railway shall not have been completed to Grimsby before the first day of November, 1894, and be then in operation as a through road with a daily frequent car service for passengers as hereinbefore provided, and

If railway is not completed and operated to Grimsby by 1st Nov., 1894, with daily car service, bonus to be forfeited.

**BY-LAW 681.**

daily cars for freight and express matter, for the whole distance between Hamilton and Grimsby and intermediate points, the bonus hereby granted shall be forfeited and shall not be payable to the Company, and time is hereby declared to be of the essence of this condition.

If railway is not completed and operated to Beamsville by 1st Nov., 1895, Debentures for \$5,000 to be forfeited.

**3.** If the said railway shall have been completed to Grimsby and be operated between Hamilton and Grimsby in the manner provided by this By-law, before the first day of November, 1894, but shall not be completed to Beamsville and be operated as a through road from Beamsville to Hamilton, with a daily frequent car service for passengers, as hereinbefore provided, and daily cars for freight and express matter, for the whole distance between Hamilton and Grimsby and intermediate points, before the first day of November, 1895, the remaining sum of five thousand dollars of the bonus hereby granted shall be forfeited and shall not be payable to the Company, and time is hereby declared to be of the essence of this condition.

(Note.)

*(Section 3 is amended by By-law 850, passed 20th July, 1896.)*

In the event of the Company failing or ceasing to operate Railway, bonus to be repaid to city.

**4.** In the event of the said Company becoming entitled to and being paid the bonus mentioned in the foregoing By-law, or any part thereof, but of the Company, its successors or assigns, afterwards failing or ceasing to operate said railway with a daily frequent car service for passengers, of not less than eight trains each way daily between the first day of May and the first day of November, and six trains each way daily between the first day of November and the first day of May, and daily cars for freight and express matter, for the whole distance between Hamilton and Grimsby or Beamsville, whichever may be the eastern terminus of the railway, the amount of any debentures which may have been issued and delivered to the Company, their successors or assigns, under or by virtue of the grant made by this By-law to the Hamilton, Grimsby and Beamsville Electric Railway Company, shall be repaid to the Corporation of the City of Hamilton with interest and the amount thereof shall form a first lien and charge upon the Hamilton, Grimsby and Beamsville Electric Railway and upon all the franchises and property of the Company.

Amount to form a first lien and charge on railway

Debentures not to be delivered to Company until agreement for repayment is executed.

**5.** None of such debentures shall be delivered to the Hamilton, Grimsby and Beamsville Electric Railway Company, their successors or assigns, until the said Company shall have entered into an agreement with the City Corporation for the repayment of the amount of such debentures with interest in accordance with the terms contained in the fourth condition of this By-law in case of the happening of the event therein set forth, and for the creation of the lien

therein provided for in such case, such agreement to be approved by the City Solicitors or one of them. **BY-LAW 850.**

THOS. BEASLEY,  
*City Clerk.*

P. C. BLAICHER,  
*Mayor.*

## BY-LAW No. 850.

*Passed 20th July, 1896.*

*Relating to the Hamilton, Grimsby and Beamsville Electric Railway Company.*

**W**HEREAS the Hamilton, Grimsby and Beamsville Railway Company are desirous of extending their line to Beamsville, but will be unable to do so unless they can use for that purpose the bonds remaining unsold of the issue of \$100,000 of first mortgage bonds mentioned in the agreement between the Corporation of this City and said Company, dated the twenty-third day of January 1895.

Preamble.

And whereas the Company have applied to the city for the privilege of using for such proposed extension of their line, the twenty thousand dollars of first mortgage bonds of the Company now deposited with the said city and substituting therefor an agreement by the Company that if they, their successors or assigns, shall at any time fail or cease to operate the said railway with a daily frequent car service for passengers of not less than eight trains each way daily between the first day of May and the first day of November, and six trains each way daily between the first day of November and the first day of May, and daily cars for freight and express matter for the whole distance between Hamilton, Grimsby and Beamsville, the amount of the debentures which shall have been or shall be issued and delivered to the Company, their successors or assigns, under or by virtue of the grant made by the said By-law No. 681, and this By-law to the Company, shall be repaid to the City with interest, and that the amount thereof shall form a first lien or charge upon the Hamilton, Grimsby and Beamsville Electric Railway, and upon all the franchises and property of the Company, subject only to the prior lien or claim of the holders of the said first mortgage bonds of the Company for \$100,000.

And whereas the Council of the said City on the 30th day of September, 1895, passed a resolution that the Ontario Legislature be asked to extend the time for one year for the completion of the said Electric Railway to

**BY-LAW 850.** Beamsville in order that the Company might earn the bonus of \$5,000 granted under By-law No. 681 of this Municipality, all costs in connection therewith to be paid by the Company.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

When railway is completed and operated to Grimsby Park and to Beamsville, Debentures to amount of \$5000 to be delivered to Company.

First Mortgage Bonds to be surrendered to Company.

If Company fails to complete and operate railway, bonus to be repaid to City with interest, and to form first charge and lien on railway.

Conditions on which By-law takes effect.

1. When the railway of the said Company shall have been completed to Grimsby Park and to Beamsville and is being operated as a through road from Beamsville to Hamilton with a daily frequent car service for passengers of not less than eight trains each way daily between the first day of May and first day of November and six trains each way daily between the first day of November and the first day of May and daily cars for freight and express matter for the whole distance between Hamilton, Grimsby and Beamsville, the debentures for the remaining sum of five thousand dollars of the bonus granted by said By-law 681 shall be issued and delivered to the Company, and the first mortgage bonds of the Hamilton, Grimsby and Beamsville Electric Railway Company for twenty thousand dollars, now held by the Corporation, shall also be delivered to the Company, and the claim of this Corporation to a deposit of five thousand dollars more of said bonds shall be relinquished, the said Company first entering into an agreement with this Corporation, to the satisfaction of the City Solicitor, that in the event of the Company failing or ceasing to operate said railway with a daily frequent car service for passengers of not less than eight trains each way daily, between the first day of May and the first day of November, and six trains each way daily between the first day of November and first day of May, and daily cars for freight and express matter for the whole distance between Hamilton, Grimsby and Beamsville, the amount of any debentures which shall have been or shall be issued and delivered to the Company, their successors or assigns, under or by virtue of the grant made by said By-law 681 and this By-law to the Hamilton, Grimsby and Beamsville Electric Railway Company, shall be repaid to the Corporation of the City of Hamilton with interest, and that the amount thereof shall form a first lien and charge upon the Hamilton, Grimsby and Beamsville Electric Railway and upon all the franchises and property of the Company, subject only to the prior lien or claim of the holders of the first mortgage bonds of the Company for \$100,000.

2. This By-law shall not take effect or become operative nor shall said debentures or first mortgage bonds be delivered to the Company unless the said extension of the Hamilton, Grimsby and Beamsville Electric Railway to Grimsby Park and Beamsville shall have been completed and actively operated in manner hereinbefore described before the first day of November, 1896, nor until the Com-



pany shall have completed their title to the lands extending from Prospect Street to the side line between lots six and seven in the third concession of Barton in continuation of the line of Maple Avenue to a width of not less than sixty feet and shall have entered into an agreement with this Corporation to petition the Legislature of the Province of Ontario to confirm this By-law and the lien to be created upon the Hamilton, Grimsby and Beamsville Electric Railway under the terms thereof, and to pay all expenses of or connected with such legislation and the application therefor, such agreement to be approved by the City Solicitor.

BY-LAW 850.

Confirmation of  
By-law by Ontario  
Legislature.

T. BEASLEY,

*City Clerk.*

GEO. E. TUCKETT,

*Mayor.*

### SCHEDULE B, SECTION 2.

THIS AGREEMENT made this twenty-eighth day of December, one thousand eight hundred and ninety-six,  
BETWEEN

THE HAMILTON, GRIMSBY AND BEAMSVILLE ELECTRIC RAILWAY COMPANY,  
hereinafter called the Company, of the first part,

Agreement.

—and—

THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the Corporation, of the second part.

Whereas by By-law No. 850 of the said Corporation it is provided that when the railway of the said Company shall have been completed to Grimsby Park and to Beamsville and is being operated as a through road from Beamsville to Hamilton in the manner set forth in said By-law, the debentures for the remaining sum of five thousand dollars of the bonus granted by By-law No. 681 of the Corporation shall be issued and delivered to the Company, and the first mortgage bonds of the said Company for twenty thousand dollars held by the Corporation shall also be delivered to the Company, and the claim of the Corporation to the deposit of five thousand dollars more of said bonds shall be relinquished, the said Company first entering into an agreement with the Corporation to the satisfaction of the City Solicitor, that in the event of the Company failing or ceasing to operate the said railway in the manner described in said By-law 850, the amount of any debentures which shall have been or shall be issued or delivered to the Company, their successors or assigns, under or by virtue of the grant made by the said By-laws 681 and 850 to the said Company, shall be repaid to the Corporation of the City of Hamilton with interest, and that the amount thereof shall form a first lien and charge upon the said railway and upon

**BY-LAW 850.** all the franchises and property of the Company, subject only to the prior lien or claim of the holders of the first mortgage bonds of the Company for one hundred thousand dollars.

And whereas it was also by said By-law, amongst other things, provided that said By-law 850 should not take effect or become operative nor should said debentures or first mortgage bonds be delivered to the Company until the said Company should have entered into an agreement with the said Corporation to petition the Legislature of the Province of Ontario to confirm the said By-law and the lien to be created upon the Hamilton, Grimsby and Beamsville Electric Railway by the terms thereof and to pay all expenses of or connected with such legislation and the application therefor, such agreement to be approved by the City Solicitor.

And whereas the said railway has been completed to Grimsby Park and to Beamsville, and is being operated in manner in said By-law provided, and the said Company has applied to the said Corporation for the delivery to the Company of the debentures for the remaining sum of five thousand dollars of the bonus granted by said By-law 681, and of the first mortgage bonds of the Company for twenty thousand dollars now held by the Corporation.

Now this indenture witnesseth that the said Company do hereby covenant and agree with the said City Corporation that if the said Company, their successors or assigns, shall at any time fail or cease to operate said railway with a daily frequent car service for passengers of not less than eight trains each way daily between the first day of May and the first day of November, and six trains each way daily between the first day of November and the first day of May, and daily cars for freight and express matter, for the whole distance between Hamilton and Grimsby and Beamsville, the amount of the debentures for twenty-five thousand dollars which may be or may have been issued and delivered to the Company, their successors or assigns, under or by virtue of the grant made by said By-laws 681 and 850 to the Hamilton, Grimsby and Beamsville Electric Railway Company shall be repaid to the Corporation of the City of Hamilton with interest, and the amount thereof shall form a first lien and charge upon the Hamilton, Grimsby and Beamsville Electric Railway and upon all the franchises and property of the Company, subject only to the prior lien or claim of the holders of the first mortgage bonds of the Company for one hundred thousand dollars.

And the said Hamilton, Grimsby and Beamsville Electric Railway Company do hereby for themselves, their successors and assigns, grant and covenant to and with the Corporation of the City of Hamilton that the said Corporation shall have a first lien and charge, subject only to the prior lien or claim of the holders of said first mortgage

## BY-LAW 850.

bonds, upon the Hamilton, Grimsby and Beamsville Electric Railway and upon all the franchises and property of the Company for the repayment of the amount of the said debentures and interest in case of the said Company, their successors or assigns, failing or ceasing to operate said railway, in the manner in the next preceding paragraph hereof set forth and do hereby grant and mortgage unto the said Corporation of the City of Hamilton, their successors and assigns, the said Hamilton, Grimsby and Beamsville Electric Railway and all the franchises and property of the said Company as and for a security for the repayment to the said City Corporation of the sum of twenty-five thousand dollars, the amount of said debentures, and interest, in case of the said Company, their successors or assigns, ceasing or failing to operate said railway in the manner hereinbefore mentioned, such mortgage or lien to be subject only to the prior lien or claim of the holders of the first mortgage bonds of the Company for one hundred thousand dollars.

And the said Company do hereby further covenant and agree with the said City Corporation that the said Company will petition the Legislature of the Province of Ontario to confirm the said By-law number 850 of the Corporation of the City of Hamilton and the lien upon the Hamilton, Grimsby and Beamsville Electric Railway and all the franchises and property of the said Company granted or created by this instrument or intended so to be as a security for the repayment to the Corporation of the City of Hamilton in the event hereinbefore mentioned of the said sum of twenty-five thousand dollars and interest, and that the said Company will pay all expenses of or connected with such legislation and the application therefor.

In witness whereof the said Company have hereunto affixed their Seal under the hand of the President and Secretary of the Company, and the said Corporation have hereunto affixed the City Seal under the hand of the Mayor of said City.

Signed, sealed and delivered by the Company in presence of	HAMILTON, GRIMSBY AND BEAMSVILLE ELECTRIC R'Y. CO'Y.
F. R. WADDELL,  and by the City Corpor- ation,	THOS. W. LESTER, <i>President.</i>  ADAM RUTHERFORD, <i>Sec.-Treas</i>
ARCH'D KAPPELE.	{ SEAL }
GEO. E. TUCKETT,	{ SEAL }
T. BEASLEY, <i>City Clerk.</i>	{ SEAL }

BY-LAW 680.

BY-LAW No. 680.

*Passed 24th July, 1893.*

*For granting a bonus of \$75,000 for the promotion of Iron Smelting Works, and the further sum of \$60,000 for the promotion of Steel Smelting Works in or immediately adjacent to the City of Hamilton.*

Preamble.

**W**HEREAS, Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, have proposed to establish Smelting Works in or immediately adjacent to the City of Hamilton, and to expend upon the plant, machinery, furnace stack, heating ovens, blowing engines, boilers, pumps, connecting machinery, approaches, tracks, docks and buildings necessary for such works, the sum of not less than \$400,000, the whole of such works to be completed and ready for operation before the 31st day of December, 1894, and to have a capacity to turn out at least one hundred and fifty tons of pig iron per day, and in consideration of their carrying out such proposal the Corporation of the City of Hamilton have agreed by way of bonus for the promotion of said Iron Smelting Works to procure and convey to them the lands hereinafter described, upon and subject to the conditions hereinafter contained, and also to pay them a bonus in debentures of the said Corporation to the amount of \$40,000, provided that the said Works shall have been completed and ready for operation with a capacity to turn out at least one hundred and fifty tons of pig iron per day, before the 31st day of December, 1894, and that the sum of \$400,000 shall then have been expended upon such Works.

And whereas, the said Corporation have agreed to grant to the said parties, their executors, administrators or assigns, the further sum of \$60,000 provided they shall before the 31st day of December, 1896, complete and have ready for operation on the lands hereinafter described, Steel Smelting Works for the manufacture of steel, and shall by that date have expended upon the buildings, plant, machinery and appliances necessary for such Steel Smelting Works, the sum of \$400,000 in addition to the monies expended upon the Iron Smelting Works hereinbefore mentioned.

And whereas, in order to provide for the purchase of the lands to be conveyed as aforesaid to the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, it will be



necessary to issue debentures of this municipality for the sum of \$35,000 payable as hereinafter provided.

**BY-LAW 680.**

And whereas, for the payment of the bonus of \$40,000 hereinbefore mentioned it may be necessary to issue debentures of this municipality for the further sum of \$40,000, payable as hereinafter provided.

And whereas, for the payment of the bonus of \$60,000 hereinbefore mentioned, it may be necessary to issue debentures of this municipality for the further sum of \$60,000, payable as hereinafter provided.

And whereas, it will be requisite to raise by special rate for paying the debentures for \$35,000 hereinbefore first mentioned and interest thereon, the sum of \$2575.65 annually during the currency of such debentures.

And whereas, it will also be requisite to raise by special rate, for paying the debentures for \$40,000, hereinbefore secondly mentioned, and interest thereon, the sum of \$3,160.00 annually during the currency of such debentures.

And whereas, it will be requisite to raise by special rate for paying the debentures for \$60,000, hereinbefore thirdly mentioned, and interest thereon, the sum of \$5,149.20 annually during the currency of such debentures.

And whereas, the amount of the whole ratable property of the municipality according to the last revised assessment roll is \$24,465.640.

And whereas, the existing debenture debt of this municipality amounts to \$2,899,145 and no principal or interest is in arrear.

Therefore, the Municipal Council of the City of Hamilton enacts as follows :

1. It shall be lawful for the Corporation of said City for the purpose of purchasing the lands to be conveyed as aforesaid to the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators or assigns, to issue debentures of the said municipality to the amount of thirty five thousand dollars, in sums of not less than one hundred dollars each, payable at the end of twenty years from the date of the passing of this By-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable half yearly, and coupons therefor to be attached to said debentures.

Authority to issue  
Debentures for  
\$35,000 to purchase  
lands.

Rate of Interest  
4%.

**BY-LAW 680.**

Authority to issue  
Debentures for  
\$40,000 for iron  
smelting works.

Rate of Interest  
4%.

2. It shall be lawful for the Corporation of the said City for the purpose of paying the bonus of forty thousand dollars hereinbefore mentioned, to issue debentures of the said municipality to the amount of forty thousand dollars, in sums of not less than one hundred dollars each, payable in eighteen years from the date thereof and within twenty years from the date of the passing of this By-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable half yearly, and coupons therefor to be attached to said debentures.

Authority to issue  
Debentures for  
\$60,000 for steel  
smelting works.

Rate of Interest  
4%.

3. It shall be lawful for the Corporation of said City for the purpose of paying the bonus of sixty thousand dollars hereinbefore mentioned, to issue debentures of the said municipality to the amount of sixty thousand dollars in sums of not less than one hundred dollars each, payable in sixteen years from the date thereof, and within twenty years from the date of the passing of this By-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable half yearly, and coupons therefor to be attached to said debentures.

Debentures and  
Interest, where  
payable.

4. The said debentures as to principal and interest shall be payable at the office of the Treasurer of the said City of Hamilton.

Debentures for  
\$35,000 to be deliv-  
ered upon City  
receiving a valid  
conveyance of the  
lands.

5. It shall be lawful for the Mayor of the municipality upon the taking effect of this By-law, and upon the persons hereinbefore named entering into an agreement in the form or to the effect of the agreement appended to this By-law, and he is hereby authorized and instructed upon such taking effect of this By-law, and upon receiving such agreement, to sign the debentures for thirty-five thousand dollars authorized to be issued under the first enacting clause of this By-law, and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of the said municipality, and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, and upon receiving a valid conveyance of the lands hereinafter mentioned, to deliver such debentures when so signed and sealed to the persons making such conveyance of said lands, and upon receiving such conveyance the Mayor and Clerk of said municipality are hereby authorized and instructed to convey the said lands by deed under the Corporate Seal of the said City to the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators and assigns upon and subject to the condition that the said lands shall revert to the Corporation of the City of Hamilton together with all plant, buildings, machinery and

Lands to be con-  
veyed to Company

appurtenances thereon or thereunto belonging, if the said parties shall not before the 31st day of December, 1894, or within such further time not exceeding one year as the Municipal Council of the City may grant as hereinafter provided for, have completed the said Iron Smelting Works and have the same ready for operation, with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and shall then have expended thereon the sum of at least four hundred thousand dollars, provided nevertheless that the said parties, their executors, administrators or assigns, shall have the right to repurchase said lands, together with all plant, buildings, machinery and appurtenances thereon or thereto belonging, upon paying therefor within one year from the 31st day of December, 1894, the sum of \$35,000. with interest thereon from the date when said lands were purchased by the City Corporation.

**BY-LAW 680.**

Lands to revert to City if Iron Smelting Works not completed and ready for operation by 31st Dec., 1894.

\$400,000 to have been expended on works at 31st Dec., 1894.

Right of parties to re-purchase lands

6. It shall be lawful for the Mayor of the said municipality upon the fulfilment by the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson, their executors, administrators or assigns, of the terms and conditions in that behalf hereinafter contained, and he is hereby authorized and instructed upon such fulfilment thereof to sign the debentures for forty thousand dollars hereby secondly authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of said municipality, and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures upon the fulfilment by the said parties, their executors, administrators or assigns, of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said parties, their executors, administrators or assigns.

Upon fulfilment of terms and conditions, Debentures for \$40,000 to be delivered.

7. It shall be lawful for the Mayor of the said municipality upon the fulfilment by the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators or assigns, of the terms and conditions in that behalf hereinafter contained, and he is hereby authorized and instructed upon such fulfilment thereof to sign the debentures for sixty thousand dollars hereby thirdly authorized to be issued, and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of said municipality, and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures upon the fulfilment by the said parties, their executors, administrators or assigns of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said parties, their executors, administrators or assigns.

Upon fulfilment of terms and conditions, debentures for \$60,000 to be delivered.

BY-LAW 680.

Special rate to be levied for payment of \$35,000.

8. There shall be raised and levied by special rate on all the ratable property in said municipality for payment of the interest on the debentures for \$35,000 mentioned in the first enacting clause of this By-law, the sum of \$1,400.00 and for payment of the principal of said debentures the sum of \$1,175.65 annually, during the currency of such debentures.

Special rate to be levied for payment of \$40,000.

9. There shall be raised and levied by special rate on all the ratable property in said municipality for payment of the interest on the debentures for \$40,000 mentioned in the second enacting clause of this By law, the sum of \$1,600.00, and for payment of the principal of said debentures the sum of \$1,500 annually, during the currency of such debentures.

Special rate to be levied for payment of \$60,000.

10. There shall be raised and levied by special rate on all the ratable property in the said municipality for payment of the interest on the debentures for \$60,000 mentioned in the third enacting clause of this By-law, the sum of \$2,400.00, and for payment of the principal of said debentures the sum of \$2,749.20 annually, during the currency of such debentures.

Votes of Electors when to be taken.

11. The votes of the qualified electors of this municipality shall be taken on this By-law by the Deputy Returning Officers hereinafter named, on Wednesday, the 5th day of July, 1893, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon, at the undermentioned places :

	WARD.	DIV.	PLACE.	RETURNING OFFICER.
Polling places.				
	1	1	666 King st. east,	Alex. Turnbull
	1	2	404 King st. east,	W. P. Smith
	1	3	61 Ferguson ave. south,	Richard Ellicott
	2	1	146 King st. east,	J. M. Ellicott
	2	2	28 Main st. east,	F. R. Hutton
	2	3	209 John st. South,	A. C. Beasley
	2	4	48 James st. south,	William Herman
	3	1	193 King st. west,	R. Corner
	3	2	307 Main st. west,	M. A. Pennington
	3	3	137 Hannah st. west,	Ed. Smith
	3	4	495 King st. west,	William Kingdon
	3	5	299 Herkimer st. west,	Joseph Kent
	4	1	58 Caroline st. north,	Robert Bryce
	4	2	136 Cannon st. west,	Charles Blackman
	4	3	440 King st. west,	James Weatherston
	4	4	Cor. York and Queen,	Louis McDonald
	4	5	378 York st.,	T. Tribute
	4	6	King's Pump Shop, Dun-	
			durn st.,	Alfred Richmond
	5	1	13 McNab st. north,	A. Hunter
	5	2	City Hall,	Lucian Hills
	5	3	21 Hughson st. north,	Robert Leask

Returning Officers.



WARD DIV.	PLACE.	RETURNING OFFICER.	BY-LAW 680.
5 4	149 McNab st. north,	James Clark	
5 5	363 James st. north,	John B. Nelligan	
5 6	503 James st. north,	Wm. Buckingham	
6 1	37 John st. north,	Chas. Reid	
6 2	68 Cannon st. east,	James Byrens	
6 3	113 Rebecca st.,	William Turnbull	
6 4	225 King William st.,	William Allen	
6 5	Shop cor. Barton & John sts.,	James Houlden	
6 6	364 Mary st.,	Thomas Smith	
6 7	83 Picton st.,	Alex. McPherson	
7 1	83 East ave. north,	Hedley Mason	
7 2	55 Ashley st.,	Samuel Robins	
7 3	Cor. Barton & East ave.,	Samuel Scott	
7 4	361 Cannon st. east,	W. H. Martin	
7 5	Cor. Victoria ave. & Albert road,	T. Lawrence	
7 6	Town Hall, Barton,	A. W. Swazie	

**12.** On Monday, the 3rd day of July, 1893, the Mayor shall attend at the Council Chamber at 11 o'clock in the forenoon, to appoint persons to attend at the various polling places, and at the final summing up of the votes by the City Clerk on behalf of the persons interested in opposing or promoting the passing of this by-law.

Appointment of  
Agents.

**13.** The Clerk of the Council of the said municipality shall attend at his office in the City Hall, in the City of Hamilton, at 11 o'clock in the forenoon of Friday, the 7th day of July, 1893, and sum up the number of votes given for and against the by-law.

Summing of votes  
by Clerk.

**14.** This By-law shall take effect on the day of the passing thereof.

#### TERMS AND CONDITIONS.

The following are the terms and conditions agreed on between this Corporation and the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson, and the grant made by this By-law is hereby declared to be subject thereto, and to be payable to the said parties, their executors, administrators or assigns, in the manner and at the time set forth therein and not otherwise, and no part thereof shall be paid over to them or any of them except in accordance with and upon the fulfilment of such terms and conditions.

Terms and  
Conditions.

**1.** The lands to be purchased with the debentures to the amount of \$35,000 which are to be issued when this By-law takes effect, and after the agreement mentioned in the fifth enacting clause of this By-law has been received, shall be conveyed to the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and

Lands purchased  
with Debentures  
for \$35,000 to be  
conveyed

**BY-LAW 680.**

Conditions upon  
which lands revert  
to City.

Right of parties to  
re-purchase lands.

Debentures for  
\$40,000 to be de-  
livered if Iron  
Smelting Works  
is completed and  
ready for opera-  
tion by 31st Dec.,  
1894.

Proviso.

Capacity of  
Works.

(Note.)

Edward H. Thompson, their executors, administrators and assigns, immediately after the purchase thereof by the Corporation of the City of Hamilton, upon and subject to the condition that the said lands shall revert to and become the property of the said Corporation together with all plant, buildings, machinery and appurtenances thereon or thereunto belonging, if the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson, their executors, administrators or assigns, or some or one of them shall not before the 31st day of December, 1894, or within such further time not exceeding one year as the Municipal Council of the City may grant, as hereinafter provided for, have completed the said Iron Smelting works upon the lands hereinafter described and have the same ready for operation with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and shall not then have expended thereon for the purposes hereinbefore mentioned the sum of at least four hundred thousand dollars; provided nevertheless that the said parties, their executors, administrators or assigns, shall have the right to repurchase said lands, together with all plant, buildings, machinery and appurtenances thereon or thereto belonging, upon paying therefor within one year from the 31st day of December, 1894, the sum of \$35 000, with interest thereon from the date when said lands were purchased by the City Corporation.

2. The sum of \$40,000 mentioned in the second enacting clause of this By-law shall be paid to the said parties, their executors, administrators or assigns, by the delivery to them of debentures to that amount issued under this By-law, and bearing interest at four per cent. per annum, but none of such debentures shall be so delivered to the said parties, their executors, administrators or assigns, or any of them, unless they shall have before the 31st day of December, 1894, completed the said Iron Smelting Works on the lands hereinafter mentioned, and have the same ready for operation with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and shall then have expended thereon for the purposes hereinbefore mentioned the sum of at least four hundred thousand dollars; provided nevertheless that if the said Smelting Works shall be in active operation on and from the 31st day of December, 1894, with a capacity to turn out at least one hundred and fifty tons of pig iron per day, but the said parties shall not by that date have expended for the purposes aforesaid the sum of \$400,000, the Municipal Council of the City shall have power by resolution to extend the time for the expenditure of the balance of said sum of \$400,000 for a further period not exceeding one year.

*(Section 2 is amended by section 1, By-law 792, passed 24th June, 1895; see also sections 1, 2, 3, of By-law No. 823, passed 10th February, 1896.)*

## BY-LAW 680.

3. The sum of \$60,000 mentioned in the third enacting clause of this By-law shall be paid to the said Joseph J. Morehouse, James Morehouse, Wm. V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators or assigns, by the delivery to them of debentures to that amount issued under this by-law and bearing interest at 4 per cent. per annum, but none of such debentures shall be so delivered to the said parties, their executors, administrators or assigns, or any of them, unless they shall have completed before the 31st day of December 1896, Steel Smelting Works for the manufacture of steel, upon the lands hereinafter described, and shall have expended upon the buildings, plant and machinery therefor the sum of four hundred thousand dollars in addition to all sums expended upon the Iron Smelting works in the next preceding paragraph mentioned, and shall have such Steel Smelting Works ready for the manufacture of steel before the said 31st of December, 1896.

Debentures for \$60,000 to be delivered if Steel Smelting Works is completed and ready for operation by 31st Dec., 1896.

Capacity of Works.

4. It is hereby declared that time shall be of the essence of this By-law as to the periods hereinbefore provided for the completion of all the works hereinbefore mentioned, and for having them ready for operation, and of the capacity hereinbefore provided and for the expenditure thereon by the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators or assigns, of the two sums of four hundred thousand dollars each, hereinbefore respectively mentioned, and it is also further declared and agreed that if the said Iron Smelting Works and the said Steel Smelting Works respectively or either of them shall be completed, and the conditions with regard to the same respectively shall be fulfilled before the dates hereinbefore provided for the completion of said works and the fulfilment of said conditions, the debentures to be given by way of bonus for the promotion of such works respectively, may be issued and delivered upon the completion of such works respectively and the fulfilment of the conditions hereinbefore contained with regard thereto, and the time for payment of said debentures respectively and the time from which interest thereon shall begin shall be computed from the date when such works are respectively completed and such conditions are fulfilled.

If Works completed and ready for operation before dates specified, Debentures to be paid over.

THOS. BEASLEY,  
*City Clerk.*

P. C. BLAICHER,  
*Mayor.*

## BY-LAW 680.

DESCRIPTION OF THE PROPERTY REFERRED TO IN  
THE FOREGOING BY-LAW.Description of  
property.

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of Barton and County of Wentworth, and being composed of parts of Lots 7, 8 and 9, in the broken-front concession of said Township, and which may be more particularly described as follows :

Commencing at the point where the northerly boundary of land, now owned by one W. C. Harvey, meets the division line between Lots 7 and 8 aforesaid, (the said point being distant about two thousand one hundred and seventy-five feet from the rear of the said concession) thence S. 73° E., and following the said northerly boundary nine hundred and ten feet more or less, to a post planted in an inlet or marsh on the original division line, between the properties of Jas. Harvey and A. W. Taylor, thence northerly, and following said original division line to the waters of Burlington Bay, thence westerly and following the waters of Burlington Bay to the said division line between Lots 7 and 8, thence southerly and following said division line one thousand one hundred and seventy-two feet, more or less to the place of beginning.

Also, commencing at a point on the division line between Lots 7 and 8 aforesaid, distant about seven hundred and eleven feet southerly from the point of commencement of last parcel (said point being where a line drawn on a course parallel to the southerly boundary of property owned by W. J. Gage, and cutting off the southerly ten acres therefrom, would meet the said division line between Lots 7 and 8), thence westerly along such line one thousand three hundred and thirty-six feet, more or less, to Sherman Avenue, then northerly along Sherman Avenue seven hundred and thirty-eight feet, more or less, to the waters of Burlington Bay, thence easterly following the waters of Burlington Bay to the division line between Lots 7 and 8 aforesaid, then southerly and following said division line one thousand five hundred and ninety-four feet, more or less to the place of beginning.

Also, commencing at a point on the west side of Sherman Avenue, distant northerly one hundred and fifty-four feet from the southwest corner of last described parcel, thence westerly and on a course parallel to the southerly boundary of the last described parcel, five hundred and six feet, more or less, to the waters of Burlington Bay, thence northerly and following the waters of Burlington Bay to the west side of Sherman Avenue, thence southerly along Sherman Avenue to the place of beginning.



FORM OF AGREEMENT REFERRED TO IN THE  
FOREGOING BY-LAW.

BY-LAW 792.

We, the undersigned, Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson, hereby agree with the Corporation of the City of Hamilton, that if on or before the 1st day of August, 1893, the lands mentioned in the foregoing description shall be well and sufficiently conveyed to us, we will, without delay, erect thereon the plant, machinery, furnace stack, heating ovens, blowing engines, boilers, pumps, connecting machinery, approaches, tracks, docks and buildings necessary for the establishment thereon of Iron Smelting works, and complete the same with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and that in the event of our failure to do so we will make good to the said City Corporation all loss they may sustain by reason of their purchase of said lands.

Agreement.

BY-LAW No. 792.

*Passed 24th June, 1895.*

*To Extend the Time for the Completion of the Iron  
Smelting Works.*

WHEREAS By-law No. 680 of this Municipality was passed on the 24th day of July, 1893, for granting a bonus of \$75,000 for the promotion of Iron Smelting works, and the further sum of \$60,000 for the promotion of Steel Smelting works in or immediately adjacent to the City of Hamilton.

And whereas it was by said By-law provided that certain lands therein described, which were to be purchased by the Corporation of the City of Hamilton with debentures to the amount of \$35,000, to be issued under said By-law, should be conveyed to Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson in said By-law named their executors, administrators and assigns immediately after the purchase thereof by the Corporation of the City of Hamilton upon and subject to the condition that the said lands should revert to and become the property of the said Corporation together with all plant, building, machinery and appurtenances thereon or thereunto belonging if the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson, their ex-

Preamble.

**BY-LAW 792.**

ecutors, administrators or assigns, or some or one of them, should not before the thirty-first day of December, 1894, or within such further time, not exceeding one year, as the Municipal Council of the City might grant as thereafter provided for, have completed the said Iron Smelting works upon the lands thereafter described and have the same ready for operation with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and should not then have expended thereon for the purposes hereinbefore mentioned the sum of at least four hundred thousand dollars; provided nevertheless that the said parties, their executors, administrators or assigns, should have the right to repurchase said lands, together with all plant, buildings, machinery and appurtenances thereon or thereto belonging, upon paying therefor within one year from the thirty-first day of December, 1894, the sum of \$35,000 with interest thereon from the date when the said lands were purchased by the City Corporation.

And whereas it was by said By-law further provided that the sum of \$40,000 mentioned in the second enacting clause thereof should be paid to the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson, their executors, administrators or assigns, by the delivery to them of debentures to that amount issued under said By-law, and bearing interest at four per cent. per annum, but that none of such debentures shall be so delivered to the said parties, their executors, administrators or assigns, or any of them, unless they should have before the thirty-first day of December, 1894, completed the said Iron Smelting works on the lands in the said By-law mentioned, and have the same ready for operation with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and should then have expended thereon for the purposes in said By-law mentioned the sum of at least four hundred thousand dollars; provided, nevertheless, that if the said Smelting Works should be in active operation on and from the thirty-first day of December, 1894, with a capacity to turn out at least one hundred and fifty tons of pig iron per day, but the said parties should not by that date have expended for the purposes aforesaid the sum of four hundred thousand dollars, the Municipal Council of the City should have power by resolution to extend the time for the expenditure of the balance of said sum of \$400,000 for a further period not exceeding one year.

And whereas the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr., and Edward H. Thompson have proceeded with the construction of the said Iron Smelting works and are carrying on the works towards completion as fast as possible, but by reason of unforeseen delays in procuring the necessary plant therefor, they have been unable to complete said works and

have the same ready for operation by the thirty-first day of December, 1894, and have asked for an extension of time for such completion until the thirty-first day of December, 1895.

**BY-LAW 792.**

And whereas the said Corporation have consented to grant such extension of time so far as they have power to do so under said By-law, upon and subject to the terms and conditions hereinafter contained :

Therefore the Municipal Council of the City of Hamilton enacts as follows :

1. The time for the completion of the said Iron Smelting Works and for having the same in actual operation with the capacity mentioned in said By-law shall be extended until the thirty-first day of December, 1895, and the said By-law shall in all respects be read and construed as if the said date were throughout the said By-law substituted for the thirty-first day of December, 1894, and the bonus of \$40,000 payable upon the condition that said works should be completed and in actual operation with the capacity mentioned in said By-law before the thirty-first day of December, 1895.

Time for completion of Iron Smelting Works extended to 31st Dec., 1895.

2. Before the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators or assigns, shall be entitled to claim said debentures to the amount of \$40,000, they shall procure an Act of the Legislature of the Province of Ontario sanctioning this By-law and declaring it to be valid, and the conditions and agreements therein contained to be binding upon the said Joseph J. Morehouse, James Morehouse, William V. Reynolds, William Foster, Jr. and Edward H. Thompson, their executors, administrators and assigns, and upon the lands conveyed or to be conveyed to them by the Corporation of the City of Hamilton under said By-law, and the plant, buildings, machinery and appurtenances thereon or thereunto belonging, and also enacting that said By-law No. 680 shall be read and construed and have force and effect as modified or altered by the terms of this By-law and of such Act.

Company to secure confirmation of By-law by Ontario Legislature.

T. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

## BY-LAW 823.

## BY-LAW No. 823.

*Passed 10th day of February, 1896.*

*Respecting the bonuses granted for the promotion of  
Iron Smelting Works.*

Preamble.

WHEREAS, by By-law No. 680 of this Municipality, a bonus of \$75,000 was granted for the promotion of Iron Smelting Works, and by By-law No. 772 confirmed by an Act of the Legislature of the Province of Ontario, passed in the year 1895 as Chapter 67, the time for the completion of said Iron Smelting Works was extended until the 31st day of October, 1895, and it was afterwards, by By-law No. 792, further extended until the 31st day of December, 1895.

And whereas the said Smelting Works have been in active operation upon and from the 31st day of December, 1895, with a capacity to turn out at least one hundred and fifty tons of pig iron per day, but the Hamilton Iron and Steel Company, limited, who have proceeded with the completion of the said Iron Smelting Works, and who are now operating the same, have not shewn that the sum of \$400,000 has been expended upon the said works, but have satisfied this Council that they are expending large sums of money upon said works and must necessarily expend thereon before the 31st day of December, 1896, not less than \$100,000 in order to provide the facilities requisite for the carrying on of the said Smelting Works.

And whereas the said Company have applied to this Council for the delivery to them of the Debentures for \$40,000, mentioned in the second enacting clause of By-law No. 680, hereinbefore referred to, upon their entering into an agreement with the City Corporation that the Company will, before the 31st day of December, 1896, expend upon the said Iron Smelting Works any balance which may be unexpended of the sum of \$400,000, mentioned in the second condition of said By-law No. 680.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows:

1. As soon as this By-law has been confirmed by an Act of the Legislature of the Province of Ontario, the Debentures for \$40,000, mentioned in the second enacting clause of said By-law No. 680, shall be issued and delivered to the said Company or their assigns, upon the said Company giving to the City Corporation a covenant that the

Debentures for \$40,000 to be delivered as soon as By-law is confirmed by the Legislature of Ontario.



Company will before the 31st day of December, 1896, expend upon the said Iron Smelting Works any balance which may be unexpended of the sum of \$400,000, mentioned in the second condition of said By-law No. 680, so that the full sum of \$400,000 shall have been expended upon said works before that date.

**BY-LAW 755.**

\$400,000 to be  
expended on  
Works.

2. The said Debentures may be made payable in eighteen years from the date thereof, notwithstanding that such period may expire more than twenty years from the date of passing of said By-law No. 680.

Debentures when  
payable.

3. It is hereby declared that notwithstanding that the said sum of \$400,000 may not have been expended upon the said Iron Smelting works before the 31st day of December, 1895, the lands conveyed by the Corporation of the City of Hamilton for said Smelting Works and now held by the said Company, may be held by them freed and discharged from the condition that the same should revert to and become the property of this Corporation, if the grantees of the said lands, or their assigns, should not before the 31st day of December, 1894, or within such further time, not exceeding one year, as this Council might grant, have completed the said Iron Smelting works upon the said lands and have had the same ready for operation with a capacity to turn out at least one hundred and fifty tons of pig iron per day, and should not then have expended thereon the sum of at least \$400,000, provided the Company, or their assigns, shall have expended that sum thereon before the 31st day of December, 1896.

Lands, freed from  
condition that  
they should revert  
to City.

Time extended for  
Company to ex-  
pend \$400,000 on  
Works.

Capacity of works

T. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

**BY-LAW No. 755.**

*Passed 29th October, 1894.*

*For granting a bonus of \$225,000 in aid of the Toronto,  
Hamilton and Buffalo Railway Company.*

WHEREAS, the Toronto, Hamilton and Buffalo Railway Company have applied to this Council for a bonus in aid of their Railway, and it has been deemed to be in the interests of the citizens, in order to secure a competing railway line through the city, that a bonus of two hundred and twenty-five thousand dollars should be granted to the said Railway Company upon the terms and condi-

Preamble.

**BY-LAW 755.** tions agreed upon between this Corporation and the Company, which terms and conditions are hereinafter set forth.

And whereas, in order to provide the said bonus, it will be necessary to issue debentures of this Municipality for the sum of two hundred and twenty-five thousand dollars, payable as herein provided, if all the conditions hereinafter contained are fulfilled.

And whereas, if the said debentures for \$225,000 be issued, it will be requisite to raise annually by special rate during the currency thereof, for paying the said debt and interest, the sum of \$14,403.

And whereas, the amount of the whole ratable property of the Municipality, according to the last revised assessment roll, is \$24,691,720.

And whereas, the existing debenture debt of this Municipality amounts to \$2,928,732, and no principal or interest is in arrear.

Therefore the Municipal Council of the City of Hamilton, enacts as follows :

Authority to issue  
\$225,000 debentures.

When payable.

Rate of interest  
4%.

Where debentures payable.

Debentures to be delivered to Company upon fulfilment of terms and conditions.

1. It shall be lawful for the Corporation of the said City, for the purpose aforesaid, to issue debentures of the said municipality for the sum of two hundred and twenty-five thousand dollars, as hereinafter provided, in sums of not less than one hundred dollars each, payable at the end of twenty-five years from the first day of September, 1895, such debentures to bear interest at four per cent. per annum from that date, and the interest on all said debentures to be payable half-yearly, on the first day of March and September in each year.

2. The said debentures, as to principal and interest, shall be payable at the office of the Treasurer of the said City of Hamilton.

3. It shall be lawful for the Mayor of the said municipality upon the fulfilment by the said Company of the terms and conditions in that behalf hereinafter contained, and he is hereby authorized and instructed upon such fulfilment thereof, to sign the said debentures hereby authorized to be issued and to cause the same and the interest coupons attached thereto, to be signed by the Treasurer of the said municipality; and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures upon the fulfilment by the Company of the said terms and conditions, and such debentures, when so signed and sealed, shall be delivered to the Company.

4. There shall be raised and levied annually by special rate on all the ratable property in the said Municipality, during the currency of the said debentures, for payment of the interest thereon, the sum of \$9,000, and for payment of the principal of said debentures, the sum of \$5,403.

## BY-LAW 755.

Annual special rate.

5. The votes of the qualified electors of this Municipality shall be taken on this By-law by the Deputy Returning Officers hereinafter named, on Thursday, the eleventh day of October, 1894, commencing at the hour of nine o'clock in the morning, and continuing until five o'clock in the afternoon, at the undermentioned places :

Date of submission of By-law to qualified electors.

WARD.	DIV.	PLACE.	RETURNING OFFICER.	
1	1	666 King st. east,	Alex. Turnbull	Polling Places.
1	2	404 King st. east,	W. P. Smith	
1	3	51 Ferguson ave. south,	Richard Ellicott	
2	1	146 King st. east,	J. M. Ellicott	Returning Officers.
2	2	28 Main st. east,	F. R. Hutton	
2	3	160 Catharine st. north	E. G. Payne	
2	4	24 Jackson st. west,	Wm. Herman	
3	1	193 King st. west,	R. Corner	
3	2	307 Main st. west,	M. A. Pennington	
3	3	137 Hannah st. west	E. F. Smith	
3	4	501 King st. west,	Wm. Kingdon	
3	5	299 Herkimer st.,	Jos. Kent	
4	1	58 Caroline st. north,	Robert Bryce	
4	2	136 Cannon st. west,	Chas. Blackman	
4	3	440 King st. west,	Chris. Kerner	
4	4	Cor. York and Queen sts.,	T. Tribute	
4	5	392 York st.,	Alfred Richmond	
4	6	S. S: King's shop, Dundurn	J. M. Dingwall	
5	1	13 Macnab st. north,	Adam Hunter	
5	2	City Hall, James st.,	L. Hills	
5	3	184 James st. north,	Robert Leask	
5	4	149 Macnab st. north,	Jas Clark	
5	5	363 James st. north,	J. B. Nelligan	
5	6	503 James st. north,	Wm. Buckingham	
6	1	37 John st. north,	Chas. Reid	
6	2	68 Cannon st. east,	Jas. Byrnes	
6	3	113 Rebecca st.,	Allan Land	
6	4	225 King William st.,	Wm. Allen	
6	5	Cor. John and Barton sts.,		
		Houlden's Shop,	Jas. Houlden	
6	6	364 Mary st,	Thos. Smith	
6	7	83 Picton st. east,	Alex. McPherson	
7	1	83 East avenue north,	Samuel Robins	
7	2	35 Ashley street,	Hedley Mason	
7	3	316 Barton st. east,	Samuel Scott	
7	4	383 Cannon st. east,	W. H. Martin	
7	5	Cor. Victoria ave. & Albert		
		Road,	T. Lawrence	
7	6	Town Hall, Barton,	A. W. Swazie	

**BY-LAW 755.**

Appointment of Agents.

**6.** On Tuesday, the 9th day of October, 1894, the Mayor shall attend at the Council Chamber, at 11 o'clock in the forenoon, to appoint persons to attend at the various polling places, and at the final summing up of the votes by the City Clerk on behalf of the persons interested in and promoting or opposing the passage of this By-law, respectively.

Summing up of votes by Clerk.

**7.** The Clerk of the Council of the said Municipality shall attend at his office in the City Hall, in the City of Hamilton, at 11 o'clock in the forenoon of Saturday, the 13th day of October, 1894, and sum up the number of votes given for and against the By-law.

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**TERMS AND CONDITIONS.**

Terms and conditions.

The following are the terms and conditions agreed on between this Corporation and the said Toronto, Hamilton and Buffalo Railway Company, and the grant made by this By-law is hereby declared to be subject thereto and to be payable to the said Railway Company in the manner and at the times set forth therein, and not otherwise, and no part of said grant shall be paid over to the said Company except in accordance with, and upon fulfilment of, such terms and conditions :

Delivery of debentures to Company.

No debenture to be delivered until railway is completed.

Connections with Canada Southern Railway.

Steel rails weight of.

**1.** The sum of \$225,000 granted by this By-law shall be paid to the Company by the delivery to them of debentures to that amount issued under this By-law and bearing interest at four per cent. per annum from the first day of September, 1895, but none of such debentures shall be so delivered to the Company until the completion of their railway as a first-class road constructed with steel rails weighing not less than eighty pounds to the yard, from Hamilton to a point on the Canada Southern Railway at or near the Town of Welland, or east of said Town of Welland, passing through the City of Hamilton by a southerly route, substantially according to the description and specification thereof, hereinafter contained ; nor until the Company have completed a direct connection by a first-class line of railway, from the line of the Canada Southern Railway at Waterford, through Brantford to Hamilton, independent of the Grand Trunk Railway and of the Canadian Pacific and South Ontario Pacific Railway Companies, and connecting at Hamilton with the Toronto, Hamilton and Buffalo Railway Company's line to a point on the Canada Southern Railway at or near to or east of the Town of Welland, such railway from Brantford to Garth Street in the City of Hamilton to be constructed with steel rails weighing not less than seventy pounds to the yard, nor until the said railway has been actually



opened for traffic, and is being so operated as to give adequate and regular daily train service, both for passengers and freight, between Hamilton and a point on the Canada Southern Railway at or near to or east of the Town of Welland, and between Hamilton, Brantford and Waterford, and a through connection with the Canada Southern Railway and over that railway with the Michigan Central systems, at or near to or east of Welland and at Waterford respectively, nor until this By-law and all the conditions contained therein have been made and declared by competent legislative authority to be binding on the Toronto, Hamilton and Buffalo Railway Company and all who may claim under them; and it has been provided in the Company's charter that in the event of the lines now proposed to be built by the Toronto, Hamilton and Buffalo Railway Company from Hamilton to a point on the Canada Southern Railway at or near to or east of Welland, or the connecting line from Hamilton through Brantford to Waterford, or any part of said lines coming under the control of the Grand Trunk Railway Company, the Canadian Pacific Railway Company or the South Ontario Pacific Railway Company, or of any company, person or persons acting for or in the interest of either of those companies or being operated as part of or in alliance with any of said systems, or ceasing to be operated, as hereinbefore provided, so as to give a through connection with the Canada Southern Railway, and over that railway with the Michigan Central systems, or in the event of the Toronto, Hamilton and Buffalo Railway Company, either directly as a company or indirectly through any other company, person or persons building or operating or forming a connection with any railway running from the City of Brantford or any point between Brantford and Hamilton to the City of Toronto or any point near Toronto, which railway does not pass through the City of Hamilton, the amount of any debentures which may have been issued and delivered to the Company, their successors and assigns, under or by virtue of the grant made by this By-law to the Toronto, Hamilton and Buffalo Railway Company shall be repaid to the Corporation of the City of Hamilton with interest, and the amount thereof shall form a first lien and charge, prior to all other liens and charges, upon the Toronto, Hamilton and Buffalo Railway, and upon all the franchises and property of the Company, and the City Corporation hereby agree to join with the Toronto, Hamilton and Buffalo Railway Company in applying for such legislation; provided that the Company shall not at the time it is applied for have made default in the performance of any of the conditions of this By-law, and that the City Corporation shall not be called upon to pay any share of the expense of such application.

**BY-LAW 755.**

Regular daily train service.

By-law to be declared binding by Legislature.

If railway comes under control of G. T. R. Co. or C. P. R. Co. or ceases to be operated, debentures to be repaid to City.

Grant to form first lien on railway.

Cost of legislation to be borne by Company.

2. The Company shall, before the day appointed for taking the vote of the qualified electors upon this By-law,

**BY-LAW 755.**

Deposit by Com-  
pany of \$50,000.

How to be paid  
out.

Employment of  
workmen  
residents of  
Hamilton.

Rate of wages to  
workmen.

Account to be  
given to the  
Mayor of amounts  
paid out of  
deposit.

Time when rail-  
way to be com-  
pleted.

Regular passen-  
ger trains to stop  
at Hamilton  
Station.

Debentures to be  
dated 1st Sept. 1895  
and bear 4%  
interest.

Debentures not to  
be delivered until  
agreement execut-  
ed.

pay, or cause to be paid, into the Bank of Hamilton, at its head office in this city, to the credit of the American Loan and Trust Company, of Boston, Mass., the sum of \$50,000, upon the terms that if this By-law is passed, the money so deposited shall be paid out only on the cheques of the said Loan and Trust Company, countersigned by George Roach, Esquire, one of the Directors of said Bank, and by the City Treasurer, on the production to them of vouchers establishing the expenditure of the amounts covered by such cheques, for work or labor of residents of Hamilton in the construction of said railway in the City of Hamilton, and between Hamilton and Copetown; provided that a sufficient number of such workmen and laborers, residents in Hamilton, can be obtained for the active prosecution of the work, at the rate of wages current in Hamilton and its vicinity for the classes of work required, and the current rate of wages for all residents of the City shall be fixed at fifteen cents per hour for laborers employed upon work within the City of Hamilton, and twelve and a half cents per hour for all residents of the City employed as laborers upon work on the railway outside the City, and in all cases preference shall be given to such residents of Hamilton as are willing to be employed upon the work at such current rate of wages, and are competent for the work required, and an account shall be given to the Mayor of the City of Hamilton, whenever required by him, of the amounts paid out of such deposit of \$50,000, and of the purposes for which they have been paid, and the persons to whom the payments have been made.

3. The Company shall build before the first day of September, 1895, and shall always maintain a first-class passenger station in a central part of the City of Hamilton, and all regular passenger trains on the Toronto, Hamilton and Buffalo Railway running from or through Brantford to Toronto, or from Toronto to or through Brantford, or from Brantford to Welland, or Welland to Brantford, shall stop at such principal passenger station of the Company in Hamilton, and all regular passenger trains running through Hamilton shall stop at such station, and the Company shall also build before the first day of September, 1895, and shall always maintain a second passenger station within the limits of the City of Hamilton at some point on or near Locke Street, south of Main Street.

4. The debentures issued under this By-law shall bear interest at four per cent. per annum, from the first day of September, 1895, and be dated on that day, but no debentures shall be delivered to the Company, nor shall the Company become entitled to them or any part thereof, or to any interest thereon, unless and until the conditions contained in this By-law, with regard to the delivery of such debentures to the Company have been fulfilled on their part, nor until the Company shall have entered into an

agreement with the City Corporation to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained, and such agreement shall have been approved by the City Solicitors or one of them.

**BY-LAW 755.**

5. If the construction of the Toronto, Hamilton and Buffalo Railway line from the City of Brantford to Hamilton, or within the City of Hamilton, be not actively proceeded with before the first day of November next, or if the work of construction of the line from the City of Brantford to Hamilton, or within the City of Hamilton, is not being actively proceeded with at that date, and continuously thereafter, with an average number of not less than one hundred men on each working day, so far as the weather will permit, or if the building of the railway from Brantford, through Hamilton to a point on the Canada Southern Railway, at or near to or east of the Town of Welland, is thereafter abandoned, then in any of such events this By-law shall become void and of no effect; and it is hereby declared that time shall be of the essence of this By-law, both as to such active prosecution of the work and the continuance of the construction of the railway.

If work of construction be not proceeded with and average number of 100 men employed daily or railway abandoned, By-Law to be void.

6. If, notwithstanding that the construction of the railway may have been proceeded with, as in the last preceding condition required, the said railway of the Toronto Hamilton and Buffalo Railway Company from Hamilton to a point on the Canada Southern Railway at or near to or east of the town of Welland, through the City of Hamilton, and the railway from Waterford through Brantford to Hamilton, connecting at Hamilton with the said line to a point on the Canada Southern at or near to or east of the town of Welland, be not completed, opened and operated in the manner set forth in the first condition of this By-law, before the thirty-first day of December, 1895, the grant made by this By-law shall be forfeited, and time is hereby declared to be of the essence of this condition.

If railway be not completed, opened and operated by 31st Dec. 1895, grant to be forfeited.

7. The Company shall at all times indemnify and save harmless the City Corporation from and against all claims for compensation, damages or costs, by reason or on account of the construction of the said railway, and if, not less than three months before the Company becomes entitled to the delivery of the debentures authorized by this By-law, notice shall be given to the City Corporation of Hamilton of any claim or claims against the said Company for right of way purchased or acquired by the Toronto Hamilton and Buffalo Railway Company within the limits of the City of Hamilton, or for compensation for damage to real property taken or injuriously affected by the exercise within the City of Hamilton, of any of the powers granted for the railway, or against the City Corporation for compensation, damages or costs by reason or on account of the construction of the railway within the City, the said City

Company to indemnify City against all claims for compensation, damages, &c.

Notice of claims against Company to be given to City.



**BY-LAW 755.**

City to retain out of grant, amount sufficient to pay claims.

Corporation shall retain out of any of the said debentures to which the Company may have become entitled under the conditions of this By-law, an amount sufficient to pay such claims and all costs relating thereto or occasioned thereby, and shall have the right to pay any of such claims and costs, when agreed upon or legally ascertained, and to use so much of said debentures as may be necessary to enable them to make such payment or payments, but if any such claim be not prosecuted without delay, the Company shall be entitled to demand, and the City Corporation shall then deliver to the Company, any debentures retained as security for such claim.

Opening of Streets across railway.

8. If the City Council of Hamilton shall at any time by By-law open up any street or streets across any portion of the line of the Toronto Hamilton and Buffalo Railway Company, the Company shall allow any such street or streets to be so opened up across their lands and tracks without receiving any compensation therefor, and either by a level crossing or by a bridge or subway, as may be most convenient to the City Corporation, provided that in opening up any such street the City Corporation shall not interfere with the working of the railway, and if such crossing shall render necessary the removal of any switches or semaphores, or their wires or other appurtenances, they shall be removed by the Company at the request of the City Corporation, the cost of such removal to be paid by the City; and if the City Corporation shall desire to construct any sewers or lay any water pipes across or through the lands of the said Railway Company they shall be at liberty to do so without paying compensation to the Company; provided that the work is so done as not to injure or materially interfere with the working of the railway.

Construction of Sewers across lands of Company.

Works of construction, repair and maintenance to be done to satisfaction of City Engineer.

9. All works of construction, repair or maintenance of the Toronto, Hamilton and Buffalo Railway, and of the bridges and tunnels thereon, and of the approaches thereto upon or along the streets of the City of Hamilton, shall be done by and at the expense of the Company; under the supervision and to the satisfaction of the City Engineer.

### DESCRIPTION AND SPECIFICATION.

Description and specification.

The following is the description and specification of the southerly route referred to in this By-law :

Route of Railway.

The line will extend from a point in the southerly limit of the City, not more than 1,200 feet east of the intersection of Aberdeen Avenue with the westerly limit of the City; thence in a northeasterly direction, crossing Aberdeen Avenue and all other intermediate streets and lanes to Garth Street, and curving to the eastward by an open cutting, crossing Garth Street immediately south of Hunter Street at a depth of not less than twelve (12) feet below



**BY-LAW 755.**

present grade of Garth Street ; thence continuing easterly on said curve across Hunter Street to a point at or near to Poulette Street, in the block between Hunter and Canada Streets ; thence eastwardly parallel to Hunter Street to Queen Street, crossing Poulette Street 27 feet below present grade, Locke Street 19 feet below, Pearl Street 21 feet below, Ray Street 21 feet below, and Queen Street 20 feet below present grade of Queen Street ; the grade of Queen Street not to be raised more than three feet, the railway thence continuing by a Double Track Tunnel from the west side of said Queen Street through the centre of Hunter Street, passing under Hess, Caroline, Bay and Park Streets to the east side of Park Street, where the tunnel ends. The railway will thence continue from the centre line of Hunter Street at Park Street, along Hunter Street, but keeping to the north thereof as much as practicable, leaving as much of the street on the south side of the railway as practicable for the use of teams and pedestrians.

Double track  
tunnel under  
Hunter Street.

The Railway Company shall wall up with stone or brick the south side of their track between Charles and Park Streets, and place a good and substantial fence upon the wall so as to leave the street safe and free on the south side of the railway track. The line thence continuing eastwardly and crossing Charles Street not more than seven feet below present street grade, and Macnab Street with a cutting not to exceed three feet ; thence along the north half of Hunter Street (leaving the south half of said Hunter Street for a driveway), crossing James, Hughson and John Streets practically at grade, thence curving slightly southward crossing Catharine Street and entering upon the block south of Hunter Street and between Catharine and Walnut Streets not more than 200 feet east of the east side of the said Catharine Street ; thence crossing Walnut, Ferguson Avenue, Liberty, Aurora and Wellington Streets and West and Victoria Avenues, to a point not more than 200 feet immediately north of the Grand Trunk Railway ; thence eastwardly along the foot of the mountain and north of the Grand Trunk Railway not more than 250 feet from said Railway to Wentworth Street ; thence across Wentworth Street and continuing eastwardly to Sherman Avenue, the eastern limit of the City, to a point in said Sherman Avenue, south of Mountain Avenue.

Walls and fences.

Grade of Railway.

Grade Crossings.

Overhead wooden bridges well and substantially built the full width of the streets, shall be constructed and maintained by and at the expense of the Company over Garth, Poulette, Locke, Pearl and Ray Streets, with the necessary guards and guard rails.

Overhead wooden  
bridges.

The Company shall construct and maintain a public siding for the loading of freight cars from carts or wagons, and loading of carts or wagons from freight cars, at some point between Hunter and Main Streets, adjacent to or

Siding on Garth  
Street.

**BY-LAW 755.** along the east line of Garth Street, and extending along said east line to a point within 200 feet of Main Street, the Company to leave present roadway on Garth Street in as good condition as it is in now for the use of horses and vehicles.

**Double tracks.** The Railway Company shall lay down double tracks from some point near Garth Street to Wentworth Street, exclusive of all necessary sidings and switches.

**Grade crossings of streets to be made good up to rails.** All the grade crossings of streets and avenues and all the railway tracks along the surface of the streets are to be made good up to the rails, and planked between the rails and alongside of the tracks in a substantial and workmanlike manner, by and at the expense of the Company.

**Cutting for tunnel to be filled in as work progresses.** The highway above the tunnel on Hunter Street, shall immediately upon the completion of the tunnel, as it progresses, be filled in, and the roadway, ditches, sidewalks and street crossings thereon be made good by and at the expense of the Company, and to the satisfaction of the City Engineer, and no part of the tunnel shall be kept open any longer than is absolutely necessary for its completion.

**Temporary bridges.** During the construction of the tunnel, the Company shall erect temporary bridges for the passage of horses and vehicles over the excavations for the Railway, at the crossing of such streets between Garth and Park Streets, as the City Engineer shall direct, provided such bridges do not interfere with the active prosecution of the work.

**Gates and Watchmen.** The Company shall, at their own expense, sufficiently protect by watchmen and gates, Macnab, James, Hughson and John Streets where they are crossed by the Railway, and if at any time the Railway Committee of the Privy Council shall decide that gates or other appliances for the protection of the public shall be placed at any of the street crossings or elsewhere within the limits of the City of Hamilton, the cost of construction and setting up and the cost of maintaining and operating such gates or other appliances shall be borne by the Toronto, Hamilton and Buffalo Railway Company.

**Queen Street Sewer to be diverted.** The pipe sewer on Queen Street shall, at the crossing of that street by the Railway, be turned westerly through the Railway cut, and laid in that cut, the City Corporation to be at liberty to lay the sewer there at the expense of the Company, and all sewers and water pipes which may be interfered with by the Railway Company in the construction of their line may be made good, or substitutes may be made therefor by the City Corporation at the expense of the Company, and the supply of water and the flow of the sewers may be so maintained in the cut during the con-

struction of the work, and all such expenses of changing or relaying sewers or water pipes and of maintaining the supply of water and of the flow of the sewers, shall be paid by the Company to the City Corporation on demand, and if at the time the Company may become entitled to any debentures under the terms of this By-law, any such expenses shall remain unpaid by the Company to the City, the amount thereof with interest from the time of demand of payment, may be deducted from such debentures.

**BY-LAW 895.**

Sewers and water pipes interfered with to be made good by City at expense of Company.

THOS. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

**BY LAW No. 895.**

*Passed 14th June, 1897*

*Respecting the Toronto, Hamilton and Buffalo and Canadian Pacific Railway.*

**W**HEREAS by By-law number 755 of this Corporation passed on the 29th day of October, 1894, a bonus of \$225,000 was granted in aid of the Toronto, Hamilton and Buffalo Railway Company upon and subject to certain conditions set forth in such by-law, and by certain Acts of the Legislature of the Province of Ontario and of the Parliament of Canada respectively passed in the year 1895 such by-law was confirmed and declared to be legal, valid and binding to all intents and purposes ;

Preamble.

And whereas since the passing of said By-law certain agreements have been entered into between the Toronto, Hamilton and Buffalo Railway Company, the Michigan Central Railroad Company, the Canada Southern Railway Company, the New York Central and Hudson River Railroad Company, the Canadian Pacific Railway Company, the Dominion Construction Company and the American Loan and Trust Company of Boston, which agreements are mentioned in the schedule to this By-law, and a full copy thereof deposited with the City Clerk:

And whereas such agreements are considered by this Council as being in furtherance of the objects for which said bonus was granted and to be for the benefit of this Corporation and the advancement of the business interests of the citizens of Hamilton ; but it has been suggested that some of the provisions in said agreements are contrary to certain of the conditions contained in said by-law and might legally

**BY-LAW 895.** be construed as a breach of such conditions, and it is desirable to remove all doubts upon the subject :

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

**1.** The Corporation of the City of Hamilton, so far as their rights or interest may be affected by any of the provisions contained in said agreements, do hereby consent to and acquiesce in such agreements and waive all forfeitures or breaches of condition which might be claimed by or on behalf of this Corporation under the terms of said By-law number 755, and of the agreement entered into by the Toronto, Hamilton and Buffalo Railway Company with this Corporation with reference to said By-law, so far as any such forfeiture or breach of condition may arise from the Company's entering into the agreements mentioned in the schedule to this By-law or by reason of the portion of the lines of the Toronto, Hamilton and Buffalo Railway mentioned in said agreements coming under the control of the Canadian Pacific Railway Company, or being operated as part of or in alliance with the Canadian Pacific Railway system, and this Corporation do hereby release the Toronto Hamilton and Buffalo Railway Company from any such supposed forfeiture or breach of condition, and authorize and direct the Mayor to execute such release under the City Seal.

Consent of City to agreements between T. H. & B. R'y Co. and other Companies.

**2.** It is hereby expressly declared that nothing in such release or in this By-law contained shall release, impair or affect any condition or agreement contained in or imposed by said By-law No. 755 or the agreement between the Toronto Hamilton and Buffalo Railway Company and this Corporation with reference to said By-law, except in so far as relates to the matters set forth in the next preceding paragraph and except to the extent in said paragraph expressed.

Conditions contained or imposed by By-law No. 755 not to be affected except so far as relates to matters set forth in preceding paragraph.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*



# Appendix—Part 3.

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## BY-LAWS

—OF THE—

## CITY COUNCIL

### Granting Exemptions from Certain Taxes.

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- (a) The Hamilton Bridge Works Company.
- (b) The Westinghouse Company.
- (c) The McPherson Boot and Shoe Factory,
- (d) The Manufacturing Establishment of Dowsell Brothers & Co.
- (e) George E. Tuckett & Son, Limited.
- (f) F. W. Fearman & Sons.
- (g) Lawry & Son, Limited.
- (h) The Ontario Rolling Mill Co.
- (i) The Sawyer Massey Company, Limited.
- (j) The Eagle Knitting Company.
- (k) The Toronto, Hamilton and Buffalo Railway Company.
- (l) The Hamilton and Toronto Sewer Pipe Company, Limited.
- (m) The Hamilton Brass Manufacturing Company, Limited.
- (n) The B. Greening Wire Company, Limited.
- (o) The Smart-Eby Company, Limited.
- (p) The Hamilton Distillery Company, Limited.
- (q) The Imperial Vinegar and Pickling Company, Limited.
- (r) The Meriden Britannia Company.
- (s) Charles James.

## BY-LAW 799.

## BY-LAW No. 799.

*Passed 8th July, 1895.*

*Exempting the Hamilton Bridge Works Company (Limited)  
from certain Taxes.*

Preamble.

WHEREAS the Finance Committee of the Municipal Council of the City of Hamilton in their report presented at the meeting of the said Council on the 29th day of April, 1895, recommended certain exemptions from taxation of the manufacturing establishment of the Hamilton Bridge Works Company (Limited) for a period of eight years, which report was adopted by the said Council, and it is desirable that this By-law should be passed in order to give effect to said recommendation ;

Therefore the Municipal Council of the City of Hamilton enacts as follows :

Company exempt  
for eight years  
inclusive of 1895  
from general rates  
except school  
rates on assess-  
ment in excess of  
\$30,000.

1. That the manufacturing establishment of the Hamilton Bridge Works Company (Limited) shall be exempt for a period of eight years (inclusive of 1895) from all general rates of taxation, except school rates, upon so much of their annual assessment as may be in excess of \$30,000 ;

Proviso

Provided that this exemption shall not apply to any factory the Company may acquire or occupy, or any business they may carry on or be interested in other than their present manufacturing establishment aforesaid.

T. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

## BY-LAW No. 856.

*Passed 26th October, 1896.*

*For Exempting the Westinghouse Company from certain Taxes.*

Preamble.

WHEREAS it is expedient that certain exemptions from taxation should be granted for the manufacturing establishment of the Westinghouse Company ;

Therefore the Council of the Corporation of the City of Hamilton enacts as follows : **BY-LAW 876.**

1. The manufacturing establishment and premises of the Westinghouse Company and their assigns upon the property in the City of Hamilton known as the McKechnie property purchased by the Company, and situated between Wentworth Street and Sherman Avenue south of the Grand Trunk Railway, shall, so long as the same are used for the manufacture of air brakes or of other articles, such as may be made by the Westinghouse Manufacturing Company, be exempt for a period of ten years from the first day of October, A. D. 1896, from all taxation except school rates, and from water rates beyond a rate of seven and one-half cents per 1000 gallons of water used, such exemptions to extend to any additions which may be made to said establishment or premises for manufacturing purposes.

Company exempt for ten years from 1st Oct. 1896 from taxation except school rates.

Water rate to be paid.

T. BEASLEY,  
*City Clerk.*

GEO. E. TUCKETT,  
*Mayor.*

## BY-LAW NO. 876.

*Passed 8th February, 1897.*

*Exempting the McPherson Boot and Shoe Factory.*

WHEREAS the boot and shoe factory recently carried on by J. McPherson & Co., in the City of Hamilton, has been closed and a company is being formed for the purpose of resuming the manufacture of boots and shoes upon said premises, and application has been made to this Council to grant certain exemptions to such new factory.

Preamble.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows ;

1. The manufacturing establishment situate on the south east corner of Jackson and John Streets, in the City of Hamilton, recently occupied by the firm of J. McPherson & Co. as a boot and shoe factory, shall, so long as the same is used exclusively for the manufacture of boots and shoes, be exempt for a period not exceeding ten years from the first day of January, 1897, from all general rates of taxation, except school rates, and from water rates beyond an annual rate of sixty dollars, provided the consumption of water does not exceed the amount hitherto

Company exempt for ten years from 1st Jan'y. 1897 from general rates except school rates.

**BY-LAW 877.**

Proviso.

used ; provided the manufacture of boots and shoes upon said premises be commenced before the first day of June next, and that at least fifty operatives be employed there for not less than nine months in each year.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

**BY-LAW No. 877.**

*Passed February 8th, 1897.*

*Exempting the manufacturing establishment of Dowswell Brothers & Co.*

Preamble.

**W**HEREAS the manufacturing establishment of Dowswell Bros. & Co. has been partially destroyed by fire, and they are about to restore the building and re-establish the business and have requested that the said manufacturing establishment shall be exempted from any increase of assessment beyond the amount for which the same has hitherto been assessed ;

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

Company exempt for ten years from 1st Jany. 1897 from all general rates except school rates on assessment in excess of \$8000.

Proviso.

**1.** The manufacturing establishment situate on the north east corner of Murray and Bay Streets, in the City of Hamilton, at present owned by Dowswell Brothers & Co., shall be exempt for a period of ten years from the first day of January, 1897, from all general rates of taxation, except school rates, upon so much of the annual assessment as may be in excess of \$8,000 so long as the same continues to be used for manufacturing purposes.

THOS. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*



## BY-LAW No. 943.

BY-LAW 943.

*Passed 30th May, 1898.**For granting exemption to George E. Tuckett & Son, Limited.*

**W**HEREAS the George E. Tuckett & Son Company, Limited, are about to enlarge their tobacco manufacturing establishment in the City of Hamilton ;

Preamble.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

1. The real and personal property of the George E. Tuckett & Son Company, Limited, its successors and assigns, upon or belonging to the Company's manufacturing establishment on Queen and Oxford Streets, shall be exempted from payment of all taxes in respect of such property in excess of the sum of \$3200 per annum, which sum shall be first applied in or towards payment of school taxes in respect of such property ; provided, that if the school taxes in respect of such property shall exceed the sum of \$3200 in any year the Company shall in addition pay the amount of such excess.

Company exempt from payment of taxes in excess of \$3200 per annum.

Proviso as to school rates.

2. The exemption hereby granted shall apply to such property only of the Company or its assigns as shall be used and employed in connection with the manufacture of tobacco in any of its branches, and shall extend for a period of ten years from the first day of January, 1899, so long as the Company shall during that period carry on in the City of Hamilton the whole of its manufacturing business.

Exemption to extend for ten years from Jany. 1st 1899.

Proviso.

S. H. KENT,  
*Acting City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

## BY-LAW No. 964.

*Passed 31st October, 1898.**For Granting Exemptions to F. W. Fearman & Sons,*

**W**HEREAS F. W. Fearman & Sons are extending and making improvements in their manufacturing establishment in the City of Hamilton ;

Preamble.

**BY-LAW 964.**

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

1. The real and personal property of F. W. Fearman & Sons, their successors and assigns, upon or belonging to their manufacturing establishment on the south side of Rebecca Street, in the City of Hamilton, shall be exempted from payment of all taxes in respect of such property in excess of the sum of \$245 per annum, which sum shall be first applied in or towards payment of School taxes in respect of such property ; Provided that if the School taxes in respect of such property shall exceed the sum of \$245 in any year the Company shall, in addition, pay the amount of such excess.

Company exempt from payment of taxes in excess of \$245.00 per annum.

Proviso as to school rates.

2. The said F. W. Fearman & Sons shall be exempted from payment of all water rates in respect of such property in excess of the sum of \$300 per annum, and shall not pay less than that sum, but if they shall consume more than fifteen million gallons of water in a year, the excess shall be paid for at the rate of two cents per thousand gallons. In the consumption of water, improved water saving apparatus and appliances shall be used during the period covered by this exemption.

Company exempt from payment of water rates in excess of \$300 per annum unless more than fifteen million gallons used.

Water saving apparatus.

3. The exemptions hereby granted shall apply to such property only of F. W. Fearman & Sons, or their assigns, as shall be used and employed in connection with their said Pork Factory in the City of Hamilton, and shall extend for a period of ten years from the first day of January, 1899 ; provided that the said F. W. Fearman & Sons shall, before the end of the year, 1899, construct and establish upon said premises a cold storage warehouse fifty feet square, and four stories high, and allow the same to be used upon reasonable terms for commercial purposes.

Exemption to extend for ten years from 1st Jan'y. 1899.

Proviso.

4. This By-law shall not take effect unless accepted by F. W. Fearman & Sons within fifteen days from the passing hereof by an agreement which shall bind them to construct and establish said cold storage warehouse before the end of the year 1899, and to cause such factory and cold storage warehouse to be maintained in active operation until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor.

By-law not to take effect unless agreement executed to establish a cold storage warehouse, etc.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

## BY-LAW No. 965.

BY-LAW 965.

*Passed 14th November, 1898.**For granting exemptions to Lawry & Son, Limited.*

**W**HEREAS, Lawry & Son, Limited, are about to enlarge their manufacturing establishment in the City of Hamilton :

Preamble.

Therefore, the Council of the Corporation of the City of Hamilton enacts as follows :

1. The real and personal property of Lawry & Son, Limited, their successors and assigns, upon or belonging to the Company's manufacturing establishment, on the east side of Wentworth street, in the City of Hamilton, shall be exempted from payment of all taxes in respect of such property in excess of the sum of \$245 per annum, which sum shall be first applied in or towards payment of school taxes in respect of such property : provided, that if the school taxes in respect of such property shall exceed the sum of \$245 in any year the Company shall in addition pay the amount of such excess.

Company exempt from payment of taxes in excess of \$245.00 per annum.

Proviso as to school rates.

2. The Company shall be exempted from payment of all water rates in respect of such property in excess of the sum of \$300 per annum, and shall not pay less than that sum, but if they shall consume more than fifteen million gallons of water in any year the excess shall be paid for at the rate of two cents per thousand gallons. In the consumption of water improved water saving apparatus and appliances shall be used during the period covered by this exemption.

Company exempt from payment of water rates in excess of \$300.00 per annum unless more than fifteen million gallons used.

Water saving apparatus.

3. The exemptions hereby granted shall apply to such property only of Lawry & Son, Limited, or their assigns, as shall be used and employed in connection with their said pork factory in the City of Hamilton, and shall extend for a period of ten years from the first day of January, 1899, provided that the Company shall, before the first day of July, 1899, double the capacity of their present pork factory in Hamilton and commence to operate such factory to that capacity such exemptions to continue so long only as such factory shall be maintained in active operation in the City of Hamilton, and provided also, that if the Company shall at any time for the period of one year cease to operate said factory to double its present capacity, the exemptions hereby granted shall cease.

Exemptions to extend for ten years from 1st January, 1899.

Proviso.

Capacity of works to be doubled.

If Company ceases for one year to operate works to double its present capacity, exemption to cease.

**BY-LAW 968.**

Assessed value of lands for Stock Yards not to be increased for six years from 1st January, 1899.

Date when Stock Yards are to be established.

Water for Stock Yards and Cattle Market to be free for six years from 1st January, 1899.

City to provide sewer connection.

By-law not to take effect unless agreement executed.

4. The assessed value of the lands which may be acquired and used as a site for a stock yard and cattle market in the City of Hamilton, and on which it is proposed to erect the necessary buildings for such stock yard and cattle market, shall not be increased for six years from the first day of January, 1899, if such site shall be approved by the Finance Committee of the City of Hamilton, and such stock yards and cattle market shall be established thereon before the end of the year 1899, and if such stock yards and cattle market shall be so established within said period, the water required therefor, being for the purposes thereof only, shall be supplied without cost for a period of six years from the first day of January, 1899, such water to be so supplied under and subject to the control of the City Engineer and the Chief Engineer of the Fire Department of the City of Hamilton.

5. The City Corporation agree to connect with the city sewer system the stock yards and cattle market to be so established, provided such connection shall not cost more than \$1200.

6. This By-law shall not take effect unless accepted by Lawry & Son, Limited, within fifteen days from the passing hereof by an agreement which shall bind them to double the capacity of their present pork factory in Hamilton before the first day of July, 1899, and to commence to operate such factory to that capacity before that date and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

**BY-LAW No. 968.**

*Passed 14th November, 1898.*

*For granting exemption to the Ontario Rolling Mill Company, Limited.*

Preamble.

WHEREAS, the Ontario Rolling Mill Company, Limited, are about to establish a horseshoe factory in the City of Hamilton in connection with their rolling mill;

Therefore, the Council of the Corporation of the City of Hamilton enacts as follows:



## BY-LAW 968.

1. The real and personal property of the Ontario Rolling Mill Company, Limited, their successors and assigns, upon or belonging to their manufacturing establishment on Queen Street, in the City of Hamilton, but not including the real property occupied by them and now belonging to the Grand Trunk Railway Company, shall be exempted from payment of all taxes in respect of such property in excess of the sum of \$1,200 per annum, which sum shall be first applied in or towards payment of school taxes in respect of such property; provided, that if the school taxes in respect of such property shall exceed the sum of \$1,200 in any year the Company shall, in addition, pay the amount of such excess.

Company's real and personal property, not including real property owned by G. T. Ry. Co., to be exempt from payment of taxes in excess of \$1200 per annum.

Proviso as to school rates.

2. The exemptions hereby granted shall apply to such property only of The Ontario Rolling Mill Company, Limited, or their assigns, as shall be used and employed in connection with their said rolling mill and horseshoe factory in the City of Hamilton, except the real property hereinbefore excluded from such exemption, and shall extend for a period of ten years from the first day of January, 1899; provided, that the said Ontario Rolling Mill Company, Limited, shall, before the first day of July, 1899, establish and operate in the City of Hamilton a horseshoe factory in connection with their rolling mill.

Exemption to extend for ten years from 1st January, 1899.

Proviso.

*Section 2 is amended by By-law 1005, passed 1st day of May, 1899.*

(Note.)

3. This By-law shall not take effect unless accepted by The Ontario Rolling Mill Company, Limited, within fifteen days from the passing hereof by an agreement which shall bind them to establish and operate said horseshoe factory in the City of Hamilton in connection with their rolling mill before the first day of July, 1899, and to cause such factory and rolling mill to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor.

By-law not to take effect until agreement is executed.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

## BY-LAW 1005.

## BY-LAW No. 1005.

*Passed 1st May, 1899.*

*To amend By-law No. 968, granting exemption to the Ontario Rolling Mill Company, Limited.*

Preamble.

WHEREAS since the passing of said By-law No. 968 the Ontario Rolling Mill Company, Limited, have been making arrangements for the establishment of a steel plant in or adjacent to the City of Hamilton and propose to build a factory and procure the plant necessary for the manufacture of steel before establishing the horseshoe factory mentioned in said By-law, and for that reason have asked this Council to grant an extension of time until the first day of July, 1900 for establishing and operating said horseshoe factory provided said steel plant is in actual operation by the first day of April, 1900.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

Time for establishing horse shoe factory extended to 1st July, 1900.

Proviso.

1. The time for establishing and operating the horseshoe factory mentioned in said By-law is hereby extended until the first day of July, 1900, provided that the steel plant proposed to be established by said Company in or adjacent to the City of Hamilton has been erected and is in actual operation by the first day April, 1900.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*

## BY-LAW No. 970.

*Passed 12th December, 1898.*

*For granting exemptions to the Sawyer & Massey Company (Limited.)*

Preamble.

WHEREAS the Sawyer & Massey Company, (Limited), are about to enlarge their factory in the City of Hamilton :

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

**BY-LAW 970.**

1. The real and personal property of the Sawyer & Massey Company (Limited), their successors and assigns, upon or belonging to their manufacturing establishment on Wellington Street in the City of Hamilton, shall be exempt from taxation to the extent and for the period hereinafter mentioned, namely :—The real property now belonging to them shall not be taxed for full municipal rates upon more than \$25,000 of the assessed value thereof, and their personal property upon more than \$15,000 of the assessed value thereof, and all new buildings to be erected by them and which shall form part of said manufacturing establishment shall be exempted from all taxes, except school rates, for the term hereinafter mentioned.

Real property not to be taxed on full municipal rates upon more than \$25,000.

Personal property \$15,000.

School Rates.

2. The water rates to be charged upon said manufacturing establishment shall remain at the same amount as now charged for the period hereinafter mentioned.

Water rates.

3. The said Corporation shall, as soon as said manufacturing establishment is enlarged, as hereinafter provided, put in a twelve inch main pipe to supply the same with water for manufacturing purposes and fire protection.

City to supply water main.

4. The exemptions hereby granted shall apply to such property only of the Sawyer & Massey Company (Limited), or their assigns, as shall be used and employed in connection with their said manufacturing establishment in the City of Hamilton and shall extend for a period of ten years from the first day of January, 1900; provided, that the said Company shall, before that date, increase the extent and capacity of their said manufacturing establishment and commence to operate such factory to an increased capacity; such exemptions to continue so long only as such factory shall be maintained in active operation in the City of Hamilton.

Exemptions to extend for ten years from 1st January, 1900.

Proviso.

5. This By-law shall not take effect unless accepted by the Sawyer & Massey Company (Limited), within fifteen days from the passing thereof by an agreement which shall bind them to increase the capacity of their present manufacturing establishment in Hamilton before the first day of January, 1900, and to commence to operate such factory to an increased capacity before that date and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1910, such agreement to be made to the satisfaction of the City Solicitor.

By-law not to take effect until agreement is executed.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

## BY-LAW 972.

## BY-LAW NO. 972.

*Passed 12th December, 1898.*

*For granting exemptions to the Eagle Knitting Company.*

Preamble.

WHEREAS, the Eagle Knitting Company are about to enlarge their manufacturing establishment in the City of Hamilton ;

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

Real property in excess of \$15,000 and personal property in excess of \$10,000 exempt from taxes, except school rates.

1. The real and personal property of the Eagle Knitting Company, their successors and assigns, upon or belonging to their manufacturing establishment on the east side of Macnab Street, in the City of Hamilton, shall be exempted from taxation to the extent and for the period hereinafter mentioned, namely :—The real property now belonging to them shall not be taxed for full municipal rates upon more than \$15,000 of its assessed value, and their personal property upon more than \$10,000 of its assessed value ; and such real property to the extent of \$7,000 of its assessed value and the plant and machinery of said manufacturing establishment to the extent of \$6,500 of its assessed value shall be exempt from all taxes, except school rates for the period hereinafter mentioned, and all additions to be made to such factory shall be exempt from all taxes, except school rates, for the same period.

Exemptions to extend for ten years from 1st January, 1899.

2. The exemptions hereby granted shall apply to such property only of the Eagle Knitting Company, or their assigns, as shall be used and employed in connection with their said manufacturing establishment and shall extend for a period of ten years from the first day of January, 1899 ; provided that the said Eagle Knitting Company shall, before the first day of September, 1899, increase the capacity of their said manufacturing establishment not less than fifty per cent. and commence to operate such factory to that capacity, such exemptions to continue so long only as such factory shall be maintained in active operation in the City of Hamilton.

Proviso.

By-law not to take effect until agreement is executed.

3. This By-law shall not take effect unless accepted by the Eagle Knitting Company within fifteen days from the passing thereof by an agreement which shall bind them to increase the capacity of their present manufacturing establishment in Hamilton to the extent of at least fifty per cent. before the first day of September, 1899, and to commence to operate such factory to that capacity before



that date, and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor.

**BY-LAW 974.**

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

*See agreement attached to original By-law No. 972.*

## BY-LAW No. 974.

*Passed 30th Dec., 1898.*

*To grant certain exemptions to the Toronto, Hamilton and Buffalo Railway Company.*

**W**HEREAS it is desirable to secure the building of a branch of the Toronto, Hamilton and Buffalo Railway for the purpose of making additional railway connections for the factories in the north eastern part of the city :

Preamble.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

**1.** That an exemption from municipal taxation to the extent of one thousand dollars a year be granted to the Toronto, Hamilton and Buffalo Railway Company, by the deduction of that amount from their annual taxes, for a period of ten years from the first day of January, 1899, provided the Company build and operate before the end of the year 1899 a branch of their railway from some point on their main line east of Sherman Avenue on a line outside the City limits to a point north of the main line of the Grand Trunk Railway and thence westerly from Sherman Avenue, or from a point near Sherman Avenue, to Wellington Street and allow connections for all factories desiring the same along the line of such branch.

Company exempt to extent of \$1000 per annum for ten years from 1st January, 1899.

Proviso.

**2.** The exemptions hereby granted shall cease if at any time during said term of ten years the Company shall discontinue the use or operation of such branch of their railway or shall fail or refuse to allow connections therewith for the factories desiring the same along the line of such branch or to afford reasonable facilities for the traffic to and from such factories over the said branch.

Exemption to cease if Company cease to operate branch.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

BY-LAW 795.

BY-LAW No. 975.

*Passed 30th December, 1898.*

*For granting exemption to the Toronto and Hamilton Sewer Pipe Company, Limited.*

Preamble.

WHEREAS, the Hamilton and Toronto Sewer Pipe Company, Limited, are about to rebuild their factory on Wentworth Street, in the City of Hamilton, which has recently been destroyed by fire :

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

Property of Company not to be taxed for full municipal rates on more than \$6000 of the assessed value.

New buildings to be exempt, except as to school rates.

Exemption to apply to such real property only as was owned by Company on 17th Dec., 1898.

Exemption to extend for ten years from 1st Jan., 1899.

Proviso.

Capacity of works

Water rates not affected.

1. The real and personal property of the Hamilton and Toronto Sewer Pipe Company, Limited, their successors and assigns, upon or belonging to their manufacturing establishment on Wentworth Street in the City of Hamilton, shall not be taxed for full municipal rates upon more than \$6,000 of the assessed value thereof during the period hereinafter mentioned, but the assessed value beyond \$6,000 of said real and personal property, inclusive of the new buildings, to be erected by the Company upon said premises, and which shall form part of said manufacturing establishment, shall, during said period, be exempted from all taxes, except school rates.

2. The exemption hereby granted shall apply to such real property only of the Hamilton and Toronto Sewer Pipe Company, Limited, as was owned by the Company on the 17th day of December, 1898, and had been up to that date used by them as part of or as appurtenant to their factory on Wentworth Street, in the City of Hamilton, and shall continue to be used by them as part of or as appurtenant to said factory, and to such personal property only of the Company as shall belong to and shall be used and employed in connection with their said factory on Wentworth Street, in the City of Hamilton. and shall extend for a period of ten years from the first day of January, 1899: provided, that the said Hamilton and Toronto Sewer Pipe Company, Limited, shall, before the first day of September, 1899, rebuild their said factory on Wentworth Street, in the City of Hamilton, of a capacity at least fifty per cent. greater than that of the factory recently destroyed by fire, and commence to operate such factory to that capacity, such exemption to continue so long only as such factory shall be maintained in active operation in the City of Hamilton, and not to extend to or affect the water rates payable in respect of said premises.

## BY-LAW 984.

3. The real property referred to in this By-law consists of a parcel of land lying on the east side of Wentworth Street, and on the north side of a street running parallel with and adjoining on the north the lands of the Grand Trunk Railway Company, said parcel having a frontage on Wentworth Street of 220 feet 6 inches, and extending easterly the same width 588 feet, also a strip of land 38 feet 6 inches wide, used as a roadway, and extending easterly from Wentworth Street 309 feet along the north side of the parcel first described.

Description of  
lands exempt.

4. This By-law shall not take effect unless accepted by the Hamilton and Toronto Sewer Pipe Company, Limited, within fifteen days from the passing hereof by an agreement which shall bind them to rebuild their said factory on Wentworth Street, in the City of Hamilton, of a capacity at least fifty per cent. greater than that of the factory recently destroyed by fire, and commence to operate such factory to that capacity before the first day of September, 1899, and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor.

By-law not to  
take effect until  
agreement is  
executed.

T. BEASLEY,  
*City Clerk.*

E. A. COLQUHOUN,  
*Mayor.*

## BY-LAW NO. 984.

*Passed 27th February, 1899.*

*For granting exemption to the Hamilton Brass Manufacturing Company, Limited.*

WHEREAS the Hamilton Brass Manufacturing Company, Limited, are about to purchase and extend the factory on James Street, in the City of Hamilton, now leased and occupied by them ;

Preamble.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows :

1. The real and personal property of the Hamilton Brass Manufacturing Company, Limited, their successors and assigns, upon or belonging to their manufacturing establishment on James Street, in the City of Hamilton, other than plant and machinery, shall not be taxed for full municipal rates upon more than \$18,000 of the assessed

Property of Com-  
pany not to be  
taxed for full  
rates upon more  
than \$18,000 of  
assessed value.

**BY-LAW 984.**

New buildings  
exempt except as  
to school rates.

Plant and  
Machinery.

Exemption to ex-  
tend for ten years  
from 1st Jan., 1900.

Proviso.

Capacity of works

Water rates not  
affected.

Description of  
real property  
exempted.

By-law not to take  
effect until agree-  
ment is executed.

value thereof during the period hereinafter mentioned, and all increase beyond said sum for the value of new buildings to be erected by the Company upon said premises, and which shall form part of said manufacturing establishment, shall, during said period, be exempted from all taxes, except school rates; but all plant and machinery on said premises shall be liable to taxation, except in so far as it may be exempted therefrom by general by-law for the exemption of plant and machinery.

2. The exemption hereby granted shall apply to such real property only of the Hamilton Brass Manufacturing Company, Limited, as is hereinafter described, and to such part thereof only as shall be used by them as part of or as appurtenant to their factory on James Street, in the City of Hamilton, and shall continue to be used by them as part of or as appurtenant to said factory, and to such personal property only of the Company as shall belong to and shall be used and employed in connection with their said factory on James Street, in the City of Hamilton, and shall extend for a period of ten years from the first day of January, 1900; provided, that the said Hamilton Brass Manufacturing Company, Limited, shall, before the first day of January, 1900, purchase said factory on James Street, in the City of Hamilton, and extend the same and increase the capacity thereof to the extent of at least twenty-five per cent., and commence to operate such factory to that capacity, such exemption to continue so long only as such factory shall be maintained in active operation in the City of Hamilton, and not to extend to or affect the water rates payable in respect of said premises.

3. The real property referred to in this By-law consists of the land and premises on the south-west corner of Colborne and James Streets, in the City of Hamilton, having a frontage on James Street of 120 feet 6 inches, and extending to Severn Street parallel with Colborne Street 163 feet 4 inches, but excepting the land and premises on the south-east corner of Colborne and Severn Streets, having a frontage on Colborne Street of 43 feet 6 inches, and on Severn Street of 90 feet.

4. This By-law shall not take effect unless accepted by the Hamilton Brass Manufacturing Company, Limited, within fifteen days from the passing hereof by an agreement which shall bind them to extend said factory on James Street, in the City of Hamilton, and increase the capacity thereof at least twenty-five per cent., and commence to operate such factory to such increased capacity before the first day of January, 1900, and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1910, such agreement to be made to the satisfaction of the City Solicitor.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*



## BY-LAW No. 985.

BY-LAW 985.

*Passed 27th February, 1899.**For Granting Exemption to the B. Greening Wire Company,  
Limited.*

WHEREAS, the B. Greening Wire Company, Limited,  
are about to extend their factories on Queen Street,  
in the City of Hamilton ;

Preamble.

Therefore the Council of the Corporation of the City of  
Hamilton enacts as follows :

1. The real and personal property of the B. Greening Wire Company, Limited, their successors and assigns, upon or belonging to their manufacturing establishments on Queen Street in the City of Hamilton, other than plant and machinery, shall not be taxed for full municipal rates upon more than \$30,000 of the assessed value thereof during the period hereinafter mentioned, and all increase beyond said sum for the value of new buildings to be erected by the Company upon said premises and which shall form part of said manufacturing establishments shall, during said period, be exempted from all taxes, except school rates ; but all plant and machinery on said premises shall be liable to taxation, except in so far as it may be exempted therefrom by general by-law for the exemption of plant and machinery.

Property of Company not to be taxed for full rates on more than \$30,000 of assessed value.

New buildings to be exempt except as to school rates.

Plant and machinery liable to taxation.

2. The exemption hereby granted shall apply to such real property only of the B. Greening Wire Company, Limited, as is hereinafter described, and to such part thereof only as shall be used by them as part of or as appurtenant to their factories on Queen Street in the City of Hamilton and shall continue to be used by them as part of or as appurtenant to said factories and to such personal property only of the Company as shall belong to and shall be used and employed in connection with their said factories on Queen Street in the City of Hamilton, and shall extend for a period of ten years from the first day of January, 1900 ; provided that the said B. Greening Wire Company, Limited, shall, before the first day of September, 1900, extend their said factories and increase the capacity thereof to the extent of at least twenty-five per cent, and commence to operate such factories to that capacity, such exemption to continue so long only as such factories shall be maintained in active operation in the City of Hamilton and not to extend to or affect the water rates payable in respect of said premises.

Exemption to extend for ten years from 1st Jan. 1900.

Proviso.

Capacity of works.

Water rates not affected.

**BY-LAW 1000.**

3. The real property referred to in this by-law consists of :

Descriptions of  
real property  
exempted.

(a) The land and premises on the south-west corner of Napier and Queen Streets, having a frontage on Queen Street of 66 feet and extending westerly parallel with Napier Street 121 feet.

(b) The land and premises on the north-west corner of Napier and Queen Streets, having a frontage on Queen Street of 132 feet and extending westerly parallel with Napier Street 200 feet.

(c) The land and premises on the north-east corner of Napier and Queen Streets, having a frontage on Queen Street of 132 feet and extending easterly parallel with Napier Street 132 feet.

By-law not to take  
effect until agree-  
ment is executed.

4. This by-law shall not take effect unless accepted by the B. Greening Wire Company, Limited, within fifteen days from the passing hereof by an agreement which shall bind them to extend said factories on Queen Street in the City of Hamilton and increase the capacity thereof at least twenty-five per cent. and commence to operate such factories to such increased capacity before the first day of September, 1900, and to cause such factories to be maintained in active operation in the City of Hamilton until the first day of January, 1910, such agreement to be made to the satisfaction of the City Solicitor.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*

**BY-LAW NO. 1000.**

*Passed 24th April, 1899.*

*For granting exemption to the Smart-Eby Machine Company,  
Limited.*

Preamble.

**W**HEREAS the Smart-Eby Machine Company, Limited, are about to establish a machine shop, boiler shop and manufactory on the north side of Barton Street, between Ferguson Avenue and Cathcart Street, and are not situated in any other municipality of this province, and negotiations had been carried on with this Corporation before the first day of April, 1899, and were then pending with a view to exemption from taxation in part of said Company :

Therefore the Council of the Corporation of the City of Hamilton enacts as follows: **BY-LAW 1000.**

1. The real property of the Smart-Eby Machine Company, Limited, their successors and assigns, used for or belonging to their manufacturing establishment on the north side of Barton Street, between Ferguson Avenue and Cathcart Street, in the City of Hamilton, known as the old Osborne-Worswick property shall be exempted for the period hereinafter mentioned from all general rates of taxation (except school rates), upon so much of the annual assessment of said property as may be in excess of \$5,000.

Real Property of Company in excess of the assessed value of \$5000 exempt except as to school rates.

2. The exemption hereby granted shall apply to said real property only of the Smart-Eby Machine Company, Limited, on the north side of Barton Street, between Ferguson Avenue and Cathcart Street, recently purchased by the Company and hereinbefore described, and to such part thereof only as shall be used by them as part of or appurtenant to their said manufacturing establishment, and shall extend for a period of ten years from the first day of January, 1899; such exemption to continue so long only as such factory shall be maintained in active operation in the City of Hamilton, and not to extend to or affect the water rates payable in respect of said premises.

Exemption to extend for ten years from 1st Jan'y., 1899.

3. This By-law shall not take effect unless accepted by the Smart-Eby Machine Company, Limited, within fifteen days from the passing hereof by an agreement which shall bind them to repair and improve said factory on Barton street in the City of Hamilton, and commence to operate the same as a machine shop, boiler shop and manufactory before the first day of July, 1899, and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor,

By-law not to take effect until agreement is executed.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*

## BY-LAW 1006.

## BY-LAW No. 1006.

*Passed 8th May, 1899,*

*For granting exemption to the Hamilton Distillery Company, Limited.*

Preamble.

WHEREAS the Hamilton Distillery Company, Limited, are operating a Distillery on premises fronting on Wellington, King William and Jarvis Streets and Ferguson Avenue respectively in the City of Hamilton and hold in bond on said premises a large quantity of spirits, and are not situated in any other Municipality in this Province, and negotiations had been carried on with this Corporation before the first day of April, 1899, and were then pending with a view to exemption from taxation in part of said Company:

Therefore the Council of the Corporation of the City of Hamilton enacts as follows:

Company exempt from payment of taxes in excess of \$2500 per annum.

1. The real and personal property of the Hamilton Distillery Company, Limited, their successors and assigns, upon or belonging to the Company's said manufacturing establishment on Wellington, King William and Jarvis Streets and Ferguson Avenue in the City of Hamilton, shall be exempted for the period hereinafter mentioned from payment of all general municipal taxes in respect of such property in excess of the sum of \$2500 per annum, which sum shall be first applied in or towards payment of school taxes in respect of such property; provided that if the school taxes in respect of such property should exceed the sum of \$2500 in any year the Company shall, in addition, pay the amount of such excess.

Proviso as to school rates.

Exemption to extend for ten years from 1st Jan'y. 1899

2. The exemption hereby granted shall apply to such real property only of the Hamilton Distillery Company, Limited, as is now owned by the Company and is hereinafter described, and to such part thereof as is now used and shall continue to be used by them as part of or as appurtenant to said manufacturing establishment, and to such personal property only of the Company as shall belong to or shall be used and employed in connection with their said manufacturing establishment, and shall extend for a period of ten years from the first day of January 1899, such exemption to continue so long only as said manufacturing establishment shall be maintained in active operation in the City of Hamilton, and not to extend to or affect the water rates payable in respect of said premises.

Proviso.

Water rates not to be affected.

3. The real property referred to in this by-law consists of all and singular those certain parcels or tracts of land and premises situate, lying and being in the City of Ham-



ilton in the County of Wentworth and Province of Ontario, and being composed of lots numbers eleven, twelve, thirteen, fourteen, fifteen and sixteen fronting on Wellington Street, according to plan made for the Commercial Bank of Canada by William Haskins P. L. S. registered in the Registry Office for the County of Wentworth on the 23rd day of May 1866; also lots numbers seventeen, eighteen and nineteen on the east side of Cathcart Street (now known as Jarvis Street) in Daniel Kelly's registered survey of lots; also lots numbers fifteen, sixteen, seventeen, eighteen and nineteen on the south side of King William Street, according to E. and J. F. Moore's surveys; also the northerly part of lot number twenty on the west side of Jarvis Street (formerly called Cathcart Street) in said City as such portion of said lot is described in the deed by Christopher Magen to the Hamilton Vinegar Works Company (Limited), dated the 1st day of August, 1893, and registered as number 5480; also lot number twenty-seven on the east side of Ferguson Avenue in Daniel Kelly's survey, save and excepting a strip of land on the south side of said lot two feet wide and one hundred and forty feet long, and lot number nine on the south-east corner of Ferguson Avenue and King William Street, in the survey of lots made by E. and J. F. Moore, save and excepting such portion of said lot as now forms part of Ferguson Avenue.

**BY-LAW 1006.**

Description of  
real property  
exempted.

4. This By-law shall not take effect unless accepted by the Hamilton Distillery Company, Limited, within ten days from the passing thereof by an agreement which shall bind the Company to agree that the assessment under which the taxes for the year 1899 are to be levied upon the real and personal property of the Company upon or belonging to the Company's manufacturing establishment on Wellington, King William and Jarvis Streets and Ferguson Avenue in the City of Hamilton, hereinbefore described, shall be fixed at \$125,000, and that the assessment of such real and personal property may be continued at that sum or at such sum as will produce \$2,500 each year for general municipal taxes for the remainder of the period over which the exemption hereby granted shall extend, and that the Company, their successors or assigns, will cause said manufacturing establishment to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor, and to contain a provision that upon the execution and approval thereof the appeal by the City Corporation to the Court of Appeal for Ontario now pending against the judgment of the County Court Judges with respect to the assessment of the Company shall be abandoned, the parties thereto respectively paying their own costs.

By-law not to take  
effect unless  
agreement is  
executed.

Assessment fixed  
at \$125,000.

Taxes to be not  
less than \$2,500.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*

## BY-LAW 1009.

## BY-LAW No. 1009.

*Passed 29th May, 1899.*

*For granting exemption to the Imperial Vinegar and Pickling Company of Hamilton, Limited.*

Preamble,

WHEREAS, the Imperial Vinegar and Pickling Company of Hamilton, Limited, are about to operate a Vinegar Factory on premises situate on James Street in the City of Hamilton, and are not situated in any other municipality in this Province, and negotiations had been carried on with this Corporation before the first day of April, 1899, and were then pending with a view to exemption from taxation in part of said Company :

Therefore, the Council of the Corporation of the City of Hamilton enacts as follows :

Company exempt from payment of taxes in excess of \$130.00 per annum.

Proviso.

As to school rates.

1. The real and personal property of the Imperial Vinegar and Pickling Company of Hamilton, Limited, their successors and assigns, upon or belonging to the Company's said manufacturing establishment on James Street in the City of Hamilton shall be exempted for the period hereinafter mentioned from payment of all general municipal taxes in respect of such property in excess of the sum of \$130 per annum, which sum shall be first applied in or towards payment of school taxes in respect of such property ; provided that if the school taxes in respect of such property shall exceed the sum of \$130, in any year the Company shall, in addition, pay the amount of such excess.

Exemption to extend for ten years from 1st Jan., 1899.

Proviso.

Water Rates not to be affected.

2. The exemption hereby granted shall apply to such real property only of the Imperial Vinegar and Pickling Company of Hamilton, Limited, as is now leased by the Company and is hereinafter described, and to such part thereof as may be used and shall continue to be used by them as part of or as appurtenant to said manufacturing establishment, except in the case of a removal of their factory as hereinafter provided and to such personal property only of the Company as shall belong to or shall be used or employed in connection with their said manufacturing establishment, and shall extend for a period of ten years from the first day of January, 1899, such exemption to continue so long only as said manufacturing establishment shall be maintained in active operation in the City of Hamilton, and not to extend to or affect the water rates payable in respect of said premises.

3. The real property referred to in this By-law con-

sists of all and singular the factory and premises on the east side of James Street between Hunter and Augusta Streets in the City of Hamilton, known as street number 137, and having a frontage on James Street of 65 feet nine inches and running back the same width at right angles with James Street 154 feet six inches, and any additions to such factory on said lands.

**BY-LAW 1013.**

Description of real property exempted.

4. If the said Imperial Vinegar and Pickling Company shall, at any time during the continuance of the exemption hereby granted, remove their Vinegar Factory from the premises hereinbefore described and continue the same upon any other premises in the City of Hamilton, the exemption hereby granted shall apply to the said manufacturing establishment upon the premises on which the same shall be so continued, except that the amount of the annual taxes to be paid by the said Company shall not be less than \$130, or less than two per cent. per annum upon the amount at which the premises to which said factory may be so removed were assessed before such removal, if such assessed value was more than \$6,500, and the exemption hereby granted shall continue in all other respects for the remainder of the period hereinbefore mentioned.

If Company remove to other premises and continue factory exemption shall apply to other premises.

Taxes not to be less than \$130.00. per annum.

Proviso.

5. This By-law shall not take effect unless accepted by the Imperial Vinegar and Pickling Company of Hamilton, Limited, within two weeks from the passing thereof by an agreement which shall bind the Company to agree that they will commence to operate said Vinegar Factory on James Street in the City of Hamilton before the first day of July, 1899, and will cause said manufacturing establishment to be maintained in active operation on said premises or elsewhere in the City of Hamilton until the first day of January, 1900, such agreement to be made to the satisfaction of the City Solicitor.

By-law not to take effect until agreement is executed.

T. BEASLEY,  
City Clerk.

J. V. TEETZEL,  
Mayor.

**BY-LAW No. 1013.**

*Passed 26th June, 1899.*

*For granting exemption to the Meriden Britannia Company*

WHEREAS the Meriden Britannia Company are about to extend their factory on Wellington Street. in the City of Hamilton, and are not situated in any other municipality of the Province, and negotiations had been carried on with this Corporation before the first day of April, 1899, and were then pending with a view to exemption from taxation in part of said Company ;

Preamble

**BY-LAW 1013.**

Therefore the Council of the Corporation of the City of Hamilton enacts as follows ;

**1.** The real and personal property of the Meriden Britannia Company, their successors and assigns, upon or belonging to their manufacturing establishment on Wellington Street in the City of Hamilton, shall not be taxed for full municipal rates upon more than \$35,000 of the assessed value thereof during the period hereinafter mentioned, and all new buildings to be erected by the Company upon said premises, and which shall form part of said manufacturing establishment shall, during said period, be exempted from all general taxes, except school rates.

Company not to be taxed for full rates on more than \$35,000 of assessed value.

New buildings exempt except as to school rates.

**2.** The exemptions hereby granted shall apply to such real property only of the Meriden Britannia Company as is hereinafter described, and to such part thereof only as may be used, and shall continue to be used by them as part of or as appurtenant to said factory and such personal property only of the Company as shall be used and employed in connection with their said factory on Wellington Street in the City of Hamilton, and shall extend for a period of ten years from the first day of January, 1900 ; provided, that the said Meriden Britannia Company shall, before the first day of January, 1900, extend their said factory on Wellington Street in the City of Hamilton at least twenty-five per cent. and commence to operate such factory to that capacity, such exemptions to continue so long only as such factory shall be maintained in active operation in the City of Hamilton, and during such period the water rates payable in respect of said premises shall not be increased beyond the amount now properly chargeable in respect thereof.

Exemption to extend for ten years from 1st Jan'y. 1900.

Proviso.

Capacity of works.

Water Rates.

**3.** The real property referred to in this By-law consists of the factory and premises on the south east corner of Cannon and Wellington Streets, in the City of Hamilton, having a frontage on Wellington Street of two hundred feet, and extending easterly the same width parallel with Cannon Street one hundred and forty-six feet.

Description of real property exempted.

**4.** This By-law shall not take effect unless accepted by the Meriden Britannia Company within fifteen days from the passing hereof by an agreement which shall bind them to extend their said factory on Wellington Street, in the City of Hamilton, at least twenty-five per cent., and commence to operate such factory to that capacity before the first day of January, 1900, and to cause such factory to be maintained in active operation in the City of Hamilton until the first day of January, 1910, such agreement to be made to the satisfaction of the City Solicitor.

By-law not to take effect unless agreement is executed.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*



## BY-LAW No. 1017.

## BY-LAW 1017.

*Passed 31st of July, 1899.*

*For granting exemption to Charles James.*

**W**HEREAS Charles James is about to erect a Machine Shop, together with a factory for the manufacture of Disc Shoes (an invention for sowing grain), on the east side of Mary Street, between King William and King Streets in the City of Hamilton, and his present factory is situated in said City of Hamilton and not in any other municipality of the Province, and negotiations had been carried on with this Corporation before the first day of April, 1899, and were then pending with a view to exemption from taxation in part of said proposed new manufacturing establishment;

Preamble.

Therefore the Council of the Corporation of the City of Hamilton enacts as follows:

1. The real property of the said Charles James and his assigns used for or belonging to the manufacturing establishment about to be erected by him on the east side of Mary Street, on the lands hereinafter described, shall not be taxed for full municipal rates upon more than \$2,500 of the assessed value thereof during the period hereinafter mentioned, and all new buildings to be erected by him or his assigns upon said premises and which shall form part of said manufacturing establishment shall, during said period, be exempted from all taxes, except school rates.

Property not to be taxed for full rates on more than \$2,500 of the assessed value.

New buildings exempt except as to school rates.

2. The exemption hereby granted shall apply to said real property only of the said Charles James situated on the east side of Mary Street between King William and King Streets and having a frontage on Mary Street of 60 feet and extending easterly from Mary Street about 225 feet; the south westerly angle of said lands being on the east side of Mary Street at the distance of 93 feet 2 inches from King Street, and to such part only of said property as shall be used by the said Charles James or his assigns as part of or appurtenant to the said manufacturing establishment, and shall extend for a period of ten years from the first day of January, 1899, such exemption to continue so long only as such factory shall be maintained in active operation in the City of Hamilton, and not to extend to or affect the water rates payable in respect of said premises.

Description of real property exempted.

Exemption to extend for ten years from 1st Jan., 1899.

Proviso.

Water Rates not to be affected.

3. This By-law shall not take effect unless accepted by the said Charles James within fifteen days from the passing hereof, by an agreement which shall bind him to complete

By-law not to take effect unless agreement is executed.

**BY-LAW 1017.** said proposed manufacturing establishment on Mary Street in the City of Hamilton, and commence to operate the same as a Machine Shop and a factory for the manufacture of Disc Shoes before the first day of November, 1899, and to cause said factory to be maintained in active operation in the City of Hamilton until the first day of January, 1909, such agreement to be made to the satisfaction of the City Solicitor.

T. BEASLEY,  
*City Clerk.*

T. V. TEETZEL,  
*Mayor.*

# Appendix—Part 4.

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BY-LAWS

—OF THE—

BOARD OF COMMISSIONERS OF POLICE

—OF THE—

CITY OF HAMILTON.

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- (a) To license and regulate Second-Hand Stores and Junk Stores.
- (b) On Cabs.
- (c) To license and regulate the Owners of Livery Stables.
- (d) On Carters.

## BY-LAW.

## BY-LAW

*Passed 27th May, 1886.*

*To License and Regulate Second-Hand Stores and Junk Stores.*

Preamble.

WHEREAS, it has been enacted by the Municipal Amendment Act, 1886, that the Board of Commissioners of Police shall, in cities, license and regulate second-hand stores and junk stores ;

Therefore, the Board of Commissioners of Police of the City of Hamilton enacts as follows :

Second Hand or  
Junk Stores to be  
licensed.

1. No person shall hereafter keep or carry on a second-hand store or junk store in the City of Hamilton without having a license so to do from the Board of Commissioners of Police, which license may be in the form A, hereunto annexed.

Licenses to expire  
on 30th June.

2. Every such license shall extend from the first day of July, or from such later date as the same may be issued, until the thirtieth day of June following, unless forfeited under the provisions hereinafter contained, and the fee therefor shall be \$10 if the license is taken out before the first day of January, and \$5 if taken out between that date and the first day of July in any year.

License fee.

Application to be  
made for license.

3. Every application for a license under this By-law shall be made in writing and signed by the applicant, and shall contain the full name and address of the applicant, and the street number of the store for which the license is asked, and shall be left with the Clerk of the Board of Commissioners of Police, who shall submit each application to the Board without delay.

License to be  
numbered and  
entered by Clerk.

License not to be  
in force until fee  
is paid to City  
Treasurer.

4. The licenses shall be numbered in annual series, and shall be entered as they are issued in a book to be kept by the said Clerk, and no license shall be issued or come into force until the fee therefor has been paid to the City Treasurer.

5. Such license shall be issued subject to the following conditions, which are hereby enacted as part of this By-law, and a copy whereof shall be endorsed on each license :

Conditions of  
license.

## CONDITIONS OF LICENSE.

(a) The licensee shall keep a suitable book in which he shall enter, as they are made, all purchases made by him, or



by any one on his behalf, describing the articles purchased, and stating the price paid, and also the name and residence of the seller, giving the street number of such residence, which particulars he shall obtain from the seller, and he shall also enter into such book the date of the purchase.

**BY-LAW.**

Licensee to enter in suitable book particulars of purchase.

(b) The licensee shall not sell or permit to be sold any article purchased by him until two days (not including Sunday) after its purchase, during which time he shall keep such article exposed to public view in his store in the same condition in which it was when purchased, and allow any person in company with a Police Officer, authorized in writing by the Police Magistrate or Chief Constable or acting Chief Constable of the city, to examine the same without charge.

Articles not to be sold until two days after purchase, to be exposed to public view and be subject to examination.

(c) The licensee shall not, nor shall any person on his behalf, purchase any article from any person who is under sixteen years of age, or is in a state of intoxication.

Articles not to be purchased from any person under 16 yrs. of age, &c.

(d) The licensee shall not, nor shall any one on his behalf, purchase any article which he suspects or has reason to think has been stolen, and he shall immediately inform the Police of any attempt to sell such an article to him.

Articles suspected of being stolen not to be purchased.

(e) The licensee shall at all hours, when the store is open, permit any detective or policeman, authorized in writing by the Police Magistrate or Chief Constable or acting Chief Constable of the City, to search his store, without search warrant for stolen goods or articles suspected to have been stolen, and to examine the book in Condition (a) mentioned.

Store may be searched by authorized officer without search warrant.

(f) Each licensee shall keep suspended in a public place in his store, so as to be read by persons therein, a copy of this By-law, such copy to be furnished on application by the Clerk of the Board of Commissioners of Police.

Copy of By-law to be suspended in store.

6. Upon the breach of any of the said Conditions the said licensee shall be deemed guilty of a breach of this By-law, and shall be liable to the penalty in such case provided.

Penalty for breach of Conditions.

7. If the licensee, after the issue of the license, shall be convicted three times of a breach of any of the said Conditions, such license shall be forfeited and become void.

If licensee convicted three times of breach of Conditions, license to be forfeited.

8. Condition (b), hereinbefore contained, shall not extend or apply to any purchase of goods made by the keeper of any second-hand store or junk store at public auction, or from any manufacturer or dealer in the regular and ordinary course of trade, or to any purchase made in good faith from any resident of the City at his or her dwelling house, nor shall it be necessary to state the price of such goods in

Condition B. not to apply to goods purchased at public auction or from manufacturer or dealer in regular course of trade or at dwelling houses.

**BY-LAW.** the entry of the purchase thereof made by the licensee under Condition (a), hereinbefore contained.

Penalty.

9. Any person who shall be guilty of a breach of any of the provisions of this By-law shall forfeit and pay a penalty of not less than one dollar, nor more than fifty dollars, for each offence, to be recovered and enforced, with costs, by summary proceedings before the Police Magistrate of the City of Hamilton, or in his absence before any Justice of the Peace having jurisdiction therein, in the manner that any By-law of the said City may be enforced under the authority of the Consolidated Municipal Act, 1883 ; and may be imprisoned for any period not exceeding six months, with or without hard labor, in the Common Jail of the County of Wentworth, in case of the non-payment of the costs and fine inflicted, and there being no distress found out of which such fine can be levied.

This By-law shall take effect on the first day of July, 1886.

FORM A, REFERRED TO IN FOREGOING BY-LAW.



LICENSE FOR SECOND-HAND STORE OR JUNK STORE.

Form of License. No.....

This is to certify that.....is hereby licensed to keep a Second-Hand Store or Junk Store at number.....Street in the City of Hamilton.

This License is subject to the conditions hereon endorsed, and is to be in force from its date until the thirtieth day of June following, unless sooner forfeited.

Dated at Hamilton, this.....day of.....  
A. D. 18....

By order of the Board of Commissioners of Police for the City of Hamilton.

.....  
*Clerk of the Board of Commissioners,*

## BY-LAW

## BY-LAW.

*On Cabs, passed 1st June, 1886.*

**T**HE Board of Commissioners of Police of the City of Hamilton, in pursuance of the powers in them vested, enacts as follows :

Preamble.

1. All by-laws now in force, and which are inconsistent with the provisions of this By-law contained are hereby repealed.

All By-laws inconsistent herewith repealed

2. It shall not be lawful for any person to use any Cab, Carriage, Sleigh, Omnibus or other vehicle for hire for the carriage of any passenger or passengers from one place to another within the said City, or to occupy with such vehicle any of the public Cab Stands in the City, without being licensed so to do, as hereinafter provided.

Persons using Cabs, &c., for hire to be licensed.

3. This By-law shall not apply to owners of livery stables not occupying with their Cabs, Carriages, Sleighs or other vehicles any of the public Cab Stands of the City.

Not to apply to owners of livery stables not occupying cab stands.

4. No license or transfer of license shall be granted or consented to under this By-law, except upon petition by the applicant, or, in case of a transfer, by the transferee to the said Board of Commissioners of Police praying for the same, nor until the Board shall be satisfied that the applicant's or transferee's Cab, Carriage, Sleigh, Omnibus or other vehicle or vehicles, horse or horses, harness and other equipments are in a fit and proper condition, and are suitable for public use, and that the applicant or transferee is of the full age of twenty-one years, and is a fit and proper person to receive a license under this By-law.

No license or transfer to be granted except on application to Board.

Board to be satisfied of condition of cabs, horses, &c

Applicant to be 21 years of age.

5. The Clerk of the Police Commissioners shall, if the petition for a license be granted by the Board, issue a license to such applicant in the form " A " hereunto annexed, on production of a receipt from the City Treasurer of the license fee, and such license shall contain the number of the Cab, Carriage, Sleigh, Omnibus or other vehicle for which it is issued.

Clerk to issue license.

6. There shall be affixed inside every Cab, Carriage, Sleigh, Omnibus or other vehicle, in a conspicuous place, a card on which shall be printed in plain, legible characters the number of the vehicle, name of the owner and tariff of rates, which card shall be furnished by the Clerk of the Board from time to time as the same may be required.

Card showing conspicuously number of cab, name of owner, and tariff of rates to be affixed inside of vehicle.

**BY-LAW.**

Number obtained  
from Clerk to be  
used.

7. It shall not be lawful for any person licensed under this Act to use any number, other than the one obtained from the said Clerk.

Licenses  
transferable.

8. Any license issued under this By-law may with the consent of the Board of Commissioners of Police, be transferred to any purchaser of the Cab, Carriage, Sleigh, Omnibus or other vehicle for which the license has been granted, and after such transfer and consent the transferee of such license shall be deemed to be the person licensed thereby.

Separate license  
required for each  
cab or other  
vehicle.

Proviso.

9. Every owner of more than one Cab, Carriage, Sleigh, Omnibus or other vehicle, shall take out a separate license for each Cab, Carriage, Sleigh, Omnibus or other vehicle, used by him for hire for the carriage of passengers from one place to another within the said city, but nothing herein contained shall prevent the owner of more than one of such vehicles from using the same at different times under one license, provided always, and it is hereby enacted, that such owner shall not use, or allow to be used, for hire for the carriage of a passenger or passengers within the City of Hamilton, at one and the same time more than one of such vehicles under one license, and that each vehicle so used for hire shall have thereon the number contained in the license under which the vehicle is used.

Who to be deemed  
owner of cab or  
other vehicle.

10. The person in whose name a license is taken out for a Cab, Carriage, Sleigh, Omnibus or other vehicle, or to whom such license shall have been duly transferred, shall be considered as the owner of such Cab, Carriage, Sleigh, Omnibus or other vehicle, for the purposes of this By-law.

Drivers' names to  
be submitted to  
Board for  
approval.

No person to drive  
a cab or other  
vehicle without  
permission of  
Board.

Board may revoke  
permission to  
drive.

11. Every owner obtaining a license under this By-law, who intends that his Cab, Carriage, Sleigh Omnibus or other vehicle, shall be driven by another person or persons, or who may at any time wish to employ a driver or drivers therefor, shall submit to the Board of Police Commissioners for approval the name or names of the person or persons he intends to employ as such driver or drivers; and no Cab, Carriage, Sleigh, Omnibus or other vehicle, shall be driven by any person other than by an owner licensed to do so or by those who have permission from the said Board in writing so to do, which permission shall be endorsed upon the license under which such Cab, Carriage, Sleigh, Omnibus or other vehicle, is used, and be signed by the Clerk of the Police Commissioners. Provided always, that the Board of Police Commissioners may, whenever they shall deem it expedient, revoke said permission, and such permission shall be cancelled from the time the owner of the Cab, Carriage, Sleigh, Omnibus or other vehicle, shall have received notice of such revocation.



**12.** Every Cab, Carriage, Sleigh, Omnibus, or other vehicle, for which a license has been granted under this By-law, must be kept reasonably clean, dry and in good repair, with the harness, tackling and equipments used with the same, and the horses used therewith shall be fit and sufficient to do their work, and whenever the owner of any Cab, Carriage, Sleigh, Omnibus, or other vehicle, having a license for using the same under this By-law, receives notice to be given to him or his driver, signed by the Clerk of the Board of Police Commissioners, under the authority of the Board, that such Cab, Carriage, Sleigh, Omnibus, or other vehicle, or any horse or harness or equipment belonging to the same, is not in a reasonably fit condition for public use, or that such owner or driver has been guilty of misconduct towards any passenger in his Cab, Carriage, Sleigh, Omnibus, or other vehicle, or has otherwise misconducted himself as the owner or driver of such Cab, Carriage, Sleigh, Omnibus, or other vehicle, the owner shall appear before the Board of Police Commissioners, and if the charge be found proven, his license may thereupon be suspended by the Board, and if so suspended, it shall remain wholly inoperative until the said owner shall have obtained a certificate from the Clerk of the said Commissioners that such suspension has been removed by the Board and that his license is again in full force.

**BY-LAW.**

Cabs, &c., and equipment to be kept clean and in good repair.

Horses to be fit and sufficient to do their work.

If horses, cabs or equipment unfit, on notice owner to appear before Board.

Misconduct toward passengers.

License may be suspended by Board.

Cabs &c., horses and equipment to be submitted for inspection of the Chief Constable.

Owner not to prevent inspection.

Clerk to register persons licensed and persons to whom permission has been granted to drive.

Driver of vehicle not to ask or demand more than tariff rates.

\* **13.** Every owner licensed or applying for a license or for a consent to a transfer of license under this By-law shall, when required by the Commissioners, submit his Cabs, Carriages, Sleighs, Omnibuses, or other vehicles, and his horses and harness and other equipments for the inspection of the Chief Constable, or such person or persons as the Board may appoint for the purpose, both before and during the continuance of his license, and no owner or driver shall at any time when his Cab, Carriage, Sleigh, Omnibus, or other vehicle, is not employed, prevent or hinder the said Chief Constable, or other person or persons authorized as aforesaid, from entering his Cab, Carriage, Sleigh, Omnibus, or other vehicle, or his yard, stable or shed for the purpose of making such inspection.

**14.** The said Clerk shall keep a register of the name and residence of each person licensed, and of the number of his Cab, Carriage, Sleigh, Omnibus, or other vehicle, with the amount paid by each person, and the date at which the same was paid. The said Clerk shall also keep a register of each person to whom permission has been granted to drive a Cab, Carriage, Sleigh, Omnibus, or other vehicle.

**15.** No driver of any vehicle licensed under this By-law shall ask, demand or receive more than the tariff rates fixed by this By-law.

**BY-LAW.**

Date when  
licenses expire.

**16.** Every license shall be in force from the date thereof until the first day of November following unless cancelled or suspended, and every license issued on or since the first day of November last, under the By-law on Cabs then in force, and which was not cancelled or suspended under said By-law, shall have the same force and effect as if issued under this By-law, and shall be in force until the first day of November next unless cancelled or suspended under this By-law.

**17.** Each applicant before receiving a license shall pay to the City Treasurer the fee hereinafter required, namely :

License fees.

For each Omnibus drawn by two or more horses....\$8 00

For each Cab, Carriage, Sleigh, or other vehicle, not being an Omnibus, drawn by one or more horses.. 3 00

Transfer of  
licenses to be  
registered by  
Clerk.

**18.** Whenever a transfer of a license has been made by the licensee and assented to by the Board, the Clerk shall enter such transfer in his register of licenses, and endorse on the license a memorandum that the Board has assented to the transfer.

Lamps.

Hours when  
lamps are to be  
lighted.

**19.** Each person licensed shall provide himself with two lamps, one on each side of his Cab, Carriage, Sleigh, Omnibus, or other vehicle, with the number of such vehicle painted in red on the side glasses in two inch figures, and upon which no other number or word shall be used, and when the vehicle is used at night he shall keep a good light in each of the said lamps, whether on the stand or on the public streets ; and the word " night " in this clause shall be understood to mean between the hours of 11.30 o'clock p. m. and sunrise.

Illtreating of  
horses, snapping  
of whips, obscene,  
abusive or imper-  
tinent language  
prohibited.

**20.** No driver of any vehicle under this By-law shall abuse or ill-treat his horse or horses, or wantonly or unnecessarily snap his whip, or use obscene, abusive or impertinent language in any public place or in the hearing of any passenger or solicit any person to take or use his vehicle, but the party wishing to use or engage such vehicle shall be allowed to choose without interruption.

Driver to remain  
near and have  
control of horses.

**21.** Each driver shall remain sufficiently near his horse or horses to have perfect control of the same at all times.

Licensee or driver  
to serve the first  
person requiring  
his cab.

**22.** Every person licensed under this By-law to use for hire a Cab, Carriage, Sleigh or other vehicle, not being an Omnibus, shall through himself or his driver, serve the first person requiring his Cab, Carriage, Sleigh or other vehicle, and if he pleaded that he has accepted a previous order, and therefore cannot take the present order, he shall,

on demand, give the name of the person to whom he is so engaged, together with his residence and the hour, time and place of his appointment; but no driver shall be compelled to take any order if the party calling him owes him for previous fare, unless such fare shall first be paid.

**BY-LAW.**

Previous engagement.

**23.** No driver of any Cab, Carriage, Sleigh, Omnibus or other vehicle used for hire under this By-law, shall loiter about or shall gallop or drive at an unreasonable pace on the streets or at the railway station or block up the road or access thereto, or the access to any place of public resort, or stop on any of the public crossings of the streets.

Driver not to loiter about or drive at an unreasonable pace or obstruct streets or stop on crossings.

**24.** No owner or driver of any such Cab, Carriage, Sleigh, Omnibus or other vehicle, shall employ or allow any runner or other person to assist or act in concert with him in obtaining or soliciting passengers at any of the stands or railway stations or elsewhere in the City.

Soliciting passengers prohibited.

**25.** Every driver of a Cab, Carriage, Sleigh, Omnibus or other vehicle for which a license has been granted under this By-law, shall, if requested, give his name, the name of the owner and number of the vehicle and exhibit a copy of the Tariff, authorized by this By-law, to any person having employed him, or offering to employ him, or to any one to whom injury may have been done by his horse or vehicle.

Driver if requested, to give his name and number and to exhibit tariff.

**26.** The charge for the conveyance of each passenger, from any place in the City to any other place in the City shall be 25 cents.

Tariff.

**27.** The charge by the hour shall be \$1 an hour for carrying one, two, three or four persons, and in the same proportion for any fraction of an hour.

Tariff by hour  
\$1.00

**28.** When a cabman is ordered to call at the house for a passenger and is detained there for more than five minutes he may charge at the rate of \$1 per hour, and in the same proportion for any fraction of an hour.

When Cabman detained more than 5 minutes charge may be at rate of \$1.00 per hour.

**29.** It shall be the duty of a driver of a Cab, Carriage, Sleigh or other vehicle before he drives any person or persons outside the limits of the City, to inform such person or persons that he or they are liable to a further and greater charge than fixed by Section 26 of this By-law; and state the amount of such charge, and if the point to which he drives such person or persons be not more than three miles beyond the City limits the charge shall be at the rate of \$1 per hour, including the time necessary to enable the driver to return to the City limits, if dismissed beyond such limits.

Driver before driving person outside of city limits to state charge.

**30.** No charge shall be made for any child under two years of age, and for children between two and twelve years half the Tariff rates shall be charged.

Fares for children.

**BY-LAW.**

Hand baggage to be carried free of charge.

Charge for trunks.

Persons entitled to return free if Cab not detained at destination more than five minutes.

Charge if detention exceeds five minutes.

Charge if detention exceeds fifteen minutes.

Person calling Cabman and not employing, to pay half of the lowest tariff rates.

Night tariff.

Penalty for person refusing to pay fare

Police to enforce regulations.

Persons with infectious disease not allowed to ride.

**31.** Each passenger shall be entitled to take with him or her, his or her own hand baggage, free of charge, and for each trunk there shall be paid the sum of ten cents, but one trunk shall be carried free of charge, if there be more than one passenger.

**32.** Any person having engaged any Cab, Carriage, Sleigh or other vehicle, who shall not detain the same at his or her destination more than five minutes shall be entitled to return in the same to the place of departure, or a similar distance in the same direction, without payment of additional fare. Provided that if such detention exceed five minutes and less than fifteen minutes, one-half of the original fare shall be added as return fare, and if the detention be for more than fifteen minutes, the charge shall be at the rate of one dollar per hour, and in the same proportion for any fraction of an hour.

**33.** If any person calls a Cabman, and he leaves his place on the Cab stand, the party calling and not employing him shall pay half of the lowest charge on the Tariff.

**34.** From seven to eleven o'clock in the evening, between the first day of October and the first day of May, and from nine to eleven o'clock in the evening between the first day of May and the first day of October, the charges shall be one-third more than the Tariff, and from eleven o'clock in the evening until six o'clock in the morning the charges shall be double the Tariff rates.

**35.** It shall and may be lawful for every owner or driver of any Cab, Carriage, Sleigh, Omnibus or other vehicle, to demand prompt payment of the lawful fare or hire of the person hiring or using such vehicle, and every person refusing to pay such fare forthwith, shall and may be fined as hereinafter provided.

**36.** It shall be the duty of the members of the Police Force to see that no person drives or uses for hire a Cab, Carriage, Sleigh, Omnibus, or other vehicle for the carriage of passengers within the City of Hamilton, without having obtained a license to do so as hereinbefore required, also that the Tariff of rates and the number of the Cab, Carriage, Sleigh, Omnibus, or other vehicle, are affixed inside each vehicle, and to report immediately any omission, neglect, or infraction of this By-law.

**37.** No driver of a Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall knowingly carry as a passenger or allow to ride in or upon his vehicle any person who has the smallpox or any other infectious disease dangerous to the public health, or shall carry in his vehicle the remains of any person who has died from such infectious disease.



**38.** No person shall be permitted to sit on the box with the driver or to use or occupy any part of a Cab, Carriage, Sleigh or other vehicle, not being an Omnibus, without the consent of the person employing such vehicle first expressly given for that purpose.

**BY-LAW.**

Persons prohibited from sitting on box without consent of person employing vehicle

**39.** All owners and drivers of Cabs, Carriages, Sleighs, Omnibuses or other vehicles licensed under this By-law, shall give all necessary information to Peace Officers of or concerning any person who is or may have been a passenger in any such vehicle and who is suspected of any criminal offence.

Owners and drivers to give information concerning passengers suspected of criminal offence.

**40.** Any driver of a Cab, Carriage, Sleigh, Omnibus, or other vehicle licensed under this By-law, shall, when called upon to do so, assist any Constable or other person, in the conveyance in his vehicle of any person or persons to the Hospital or elsewhere, as may be required, who may be wounded or may have met with any accident, or may have been suddenly taken ill on the street, provided such sickness is not of an infectious nature, and shall be entitled after the performance of such service to the usual fare therefor from the proper authorities.

Driver to assist any Constable or other person in conveying sick or wounded persons.

**41.** Every person licensed under this By-law, shall, through himself or his driver, punctually keep all his appointments, and if he shall neglect to fulfill an engagement or shall not be punctual to the time of his engagement, he shall be subject to the penalties of this By-law; and any person ordering a Cab, Carriage, Sleigh or other vehicle and not afterwards using the same, shall pay to the driver of such vehicle the fare that he would have been entitled to receive if the service had been performed for which he was engaged.

Drivers to punctually keep appointments.

Penalty for not fulfilling engagements.

Persons ordering cab and not using, to pay fare as if service had been performed.

**42.** If at any time there shall be a number of Cabs, Carriages, Sleighs, Omnibuses, or other vehicles licensed under this By-law, in any street, square, public or private place within the said City, any Constable may give directions respecting the position of such vehicles and the direction they shall go, and every driver thereof shall immediately conform to such directions.

Constables may direct position of cabs, &c.

**43.** The owner or driver of any Cab, Carriage, Sleigh, Omnibus or other vehicle, shall not be entitled to recover or receive any fare from any person or persons from whom he shall have demanded any greater price or rate than he is allowed to charge under this By-law, or to whom he has refused to exhibit his Card of the Tariff of Charges as by the twenty-fifth section of this By-law is provided; and it shall be the duty of every Police Officer to be vigilant and active at all times in preventing extortion and overcharge by the owners or drivers of Cabs, Carriages, Sleighs, Omnibuses, and other vehicles licensed under this By-law, and to be conversant with the Tariff of rates under this By-law, and any person using or driving in any such Cab, Car-

Owner or driver not entitled to recover fare if he has demanded fare in excess of tariff, &c.

Police to be vigilant in preventing extortion.

**BY-LAW.**

Persons using cabs, &c. may call on police for information as to proper fare.

Police to have supervision of Cabs, &c.

Duty of police to prosecute when overcharge to his knowledge has been made.

riage, Sleigh, Omnibus, or other vehicle shall be at liberty any time to call upon any Police Constable to inform him as to the proper fare to be paid for any drive or distance in question ; and all Police Officers on duty at railway stations, steamboat landings, wharves and other places, shall have supervision over all Cabs, Carriages, Sleighs, Omnibuses and other vehicles licensed under this By-law, and the owners and drivers thereof bringing passengers thereto, and in case of any dispute between the owner or driver and the party driven, as to the charge to be paid for such service, it shall be the duty of any Police Officer, on duty aforesaid, to give all the information in his power as to the amount to be paid, according to the Tariff provided by this By-law ; and on all occasions when an overcharge has been made to the knowledge of any Police Constable, it shall be his duty to prosecute the offender, irrespective of the person or persons against whom such overcharge was made.

Owner or driver wantonly misleading or deceiving persons respecting certain matters to be subject to penalties imposed.

44. If any owner or driver of any Cab, Carriage, Sleigh, Omnibus or other vehicle, licensed under this By-law shall induce any person to employ him by either knowingly or wantonly misinforming, misleading or deceiving such person as to the time or place of the arrival or departure of any railway train, steamboat or other public conveyance, or the location or distance from any part of the City of any railway depot, steamboat landing, hotel, public place or private residence, or shall induce any person to employ his Cab, Carriage, Sleigh, Omnibus or other vehicle, by any false representation, or shall in any manner or form impose upon or deceive, or in any way insult, abuse or ill-treat any person employing him, he shall be subject to the penalties of this By-law as provided in Section 45.

Penalty.

45. Any person guilty of an infraction of any of the provisions of this By-law shall, on conviction before the Police Magistrate, or in his absence before any Justice of the Peace having jurisdiction, forfeit and pay a fine not exceeding twenty dollars, nor less than one dollar for each offence, and in default of payment of any fine imposed together with costs of prosecution, it shall and may be lawful for the Police Magistrate or other Justice of the Peace, to issue his warrant to levy the amount of fine and costs by distress and sale of the offender's goods and chattels, and in case no sufficient distress to satisfy the amount of fine and costs shall be found, it shall and may be lawful for the Police Magistrate or other Justice of the Peace, to commit the offender to the common jail of the County of Wentworth for a period of not more than one month, with or without hard labor, unless the fine and costs be sooner paid.

ALEX. MCKAY,

*Chairman Board of Commissioners of Police.*

FORM "A" REFERRED TO IN THE FOREGOING  
BY-LAW.

BY-LAW.

## CAB (OR OMNIBUS) LICENSE.

License is hereby granted to \_\_\_\_\_ to drive  
 Cab No. \_\_\_\_\_ (or Omnibus No. \_\_\_\_\_) to be used for the car-  
 riage of Passengers, for hire, within the City of Hamilton,  
 until the first day of November, one thousand eight hundred  
 and \_\_\_\_\_, for which he has paid the sum of  
 Dollars.

Form of Cab  
License.

Given under authority of the Board of Commissioners  
 of Police this \_\_\_\_\_ day \_\_\_\_\_ A.D., 18\_\_\_\_

*Clerk of the Board of Commissioners  
 of Police.*

## BY-LAW

*Passed 10th July, 1886.*

*To Regulate and License the Owners of Livery Stables.*

WHEREAS it has been enacted by the Municipal  
 Amendment Act, 1836, that the Board of Commis-  
 sioners of Police shall, in cities, license and regulate the  
 owners of livery stables.

Preamble.

Therefore the Board of Commissioners of Police of the  
 City of Hamilton, enact as follows :

1. No person shall hereafter keep a livery stable  
 within the limits of the City of Hamilton without having a  
 license so to do from the Board of Commissioners of Police,  
 which license may be in the form "A" hereunto annexed.

License required  
to keep  
Livery Stable.

2. Every such license shall extend from the first day  
 of January, or from such later date as the same may be  
 issued, until the thirty-first day of December following,  
 unless forfeited under the provisions hereinafter contained.

Date when license  
expires.

3. Every application for a license under this By-law  
 shall be made in writing, and shall contain the full name  
 and address of the applicant, and shall also describe the  
 situation of the livery stable for which a license is asked,  
 and state the number of horses used for hire at such livery  
 stable, and shall be left with the Clerk of the Board of Com-  
 missioners of Police, who shall submit each application to  
 the Board without delay.

Applications for  
license to be made  
in writing, what  
to contain.

4. The fee to be paid for licenses under this By-law  
 shall be the sum of \$6.00 for each livery stable, and where  
 more than five horses are used for hire an additional sum of  
 \$1.00 for each horse beyond that number, but where the

License fee.

**BY-LAW.**

license is not taken out until after the first day of July in any year the fees shall be one-half the amounts above mentioned.

License to be numbered and not to come into force until fees paid to City Treasurer.

5. The licenses shall be numbered in annual series, and shall be entered as they are issued in a book to be kept by the said Clerk, and no license shall be issued or come into force until the fees therefor have been paid to the City Treasurer.

Person in whose name license is taken out to be deemed the owner.

6. The person in whose name a license is taken out for a livery stable shall be considered the owner thereof, for the purposes of this By-law, and shall be liable as owner for any breach of the provisions herein contained.

Stable, vehicles and equipments to be kept clean and in good repair.

7. Every owner of a livery stable licensed under this By-law must keep his stable continually clean, dry, and in good repair, and also the vehicles, harness, tackling and equipments used for hire, and the horses used by him for hire shall be fit and proper for the purpose for which they are hired.

Inspection of stable, vehicles and equipment.

8. Every owner of a livery stable shall, when required by the Commissioners, or any one of them, submit his stables, horses, harness, vehicles and other equipments for the inspection of the Chief Constable of the City, or any person authorized in writing by him, or by a member of the Board of Police Commissioners, both before and during the continuance of his license; and no owner shall at any time prevent or hinder the Chief Constable, or other person so authorized, from entering the stable of such owner for the purpose of inspecting the same.

Carriages &c. not to be washed on public streets,

9. No owner of a livery stable within the City of Hamilton shall wash or clean his carriages or other vehicles, or horses, or cause them to be washed or cleaned in the streets or public highways, or shall encumber any street or highway with a carriage or other vehicle.

Stable yards to be kept clean, not more than 2 loads of manure to remain in between 1st May and 1st Nov.

10. Every owner of a livery stable shall keep his stables and stable yards clean, and shall not permit more than two waggon loads of manure to accumulate and remain in or near the same at any one time between the first day of May and the first day of November.

Books to be kept.

11. Every owner of a livery stable shall keep, or cause to be kept upon his premises, a book, or books, in which he shall enter, or cause to be entered, the date when, and the person or persons to whom every horse or horse and vehicle is let for hire, the time of the day or night, as the case may be, when each such horse or horse and vehicle leaves the stables, and when the same is returned. If the person or persons hiring any such horse or horse and vehicle be not known to the owner of the livery stable, or person in charge thereof, a description of such person or persons shall be entered in the book along with the other particulars hereinbefore required, and such book or books shall be open at



all times to the inspection of the Chief Constable of the City, or any Constable authorized in writing by him, or by a member of the Board of Police Commissioners to inspect the same.

**BY-LAW.**

12. No owner of a livery stable shall let or hire any horse or horse and vehicle to any notoriously bad character, or to a woman of ill-fame.

Horses or vehicles not to be hired to bad characters.

13. All property or money left in any vehicle used for hire shall be forthwith delivered over to the person owning such property or money, and if the owner cannot be found within twenty-four hours, such property or money shall be left at the nearest Police Station by the owner of the livery stable, who shall furnish all information he possesses with reference thereto.

Property and money left in vehicle to be returned to owner or left at nearest Police Station.

14. Any person who shall be guilty of a breach of any of the provisions of this By-law shall forfeit and pay a penalty of not less than one dollar nor more than fifty dollars for each offence, to be recovered and enforced with costs by summary proceedings before the Police Magistrate of the City of Hamilton, or in his absence, before any Justice of the Peace having jurisdiction therein, in the manner that any By-law of the said City may be enforced under the authority of the Consolidated Municipal Act, 1883, and may be imprisoned for any period not exceeding six months, with or without hard labor, in the common jail of the County of Wentworth in case of the non-payment of the costs and fine inflicted, and there being no distress found out of which such fine and costs can be levied.

Penalty.

ALEX. MCKAY, MAYOR,

*Chairman of Board of Police Commissioners.*

## FORM "A" REFERRED TO IN THE FOREGOING BY-LAW.

### LIVERY STABLE LICENSE,

No.....

This is to certify that.....is hereby licensed to keep a livery stable at.....in the City of Hamilton.

Form of License.

This license is to be in force from its date until the thirty-first day of December following.

Dated at Hamilton this.....day of.....A.D. 18....

By order of the Board of Commissioners of Police for the City of Hamilton.

*Clerk of the Board of Commissioners.*

## BY-LAW.

## BY-LAW

*Passed 23rd September, 1886.*

*On Carters.*

THE Board of Commissioners of Police of the City of Hamilton, in pursuance of the power in them vested, enact as follows :

By-laws inconsistent repealed.

1. All by-laws now in force and which are inconsistent with the provisions of this By law contained are hereby repealed.

Carters required to take out license

2. No person shall use for hire any cart, truck, sleigh or other vehicle for the carriage of any goods, wares or merchandise, or any other article in the said City, or shall occupy with such vehicle any of the public cart-stands in the City, without being duly licensed under this By-law.

Applications for license and transfers to be made to Board.

Applicant to be 21 years of age.

3. No license or transfer of license shall be granted or consented to under this By-law except upon petition by the applicant, or in case of a transfer, by the transferee to the said Board of Commissioners of Police praying for the same, nor until the Board shall be satisfied that the applicant's cart, truck, sleigh or other vehicle or vehicles, horse or horses, harness and other equipments are in a fit and proper condition and are suitable for public use, and that the applicant or transferee is of the full age of twenty-one years, and is a fit and proper person to receive a license under this By-law.

Clerk to issue license on production of City Treasurer's receipt.

4. The Clerk of the Police Commissioners shall, if the petition for a license be granted by the Board, issue a license to such applicant in the form "A" hereunto annexed, on production of a receipt from the City Treasurer for the license fee, and such license shall contain the number of the cart, truck, sleigh or other vehicle for which it is issued,

Number to be painted on each side of vehicle.

5. Each person so licensed shall immediately cause the number contained in his license to be fairly painted on each side of his cart, truck, sleigh or other vehicle, with black paint upon a white ground, so as to be easily seen in letters or figures of at least two inches in length.

No number other than one received from Clerk to be used.

6. It shall not be lawful for any person licensed under this By-law to use any number other than the one obtained from the said Clerk.

Transfer of license

7. Any license issued under this By-law may, with the consent of the Board of Commissioners of Police, be transferred to any purchaser of the cart, truck sleigh or other

vehicle for which this license has been granted, and after such transfer the transferee of such license shall be deemed to be the person licensed thereby.

**BY-LAW.**

8. Every owner of more than one cart, truck, sleigh or other vehicle shall take out a separate license for each cart, truck, sleigh or other vehicle used by him for hire for the carriage of goods, wares or merchandise from one place to another within the said City, but nothing herein contained shall prevent the owner of more than one of such vehicles from using the same at different times under one license; provided always, and it is hereby enacted that such owner shall not use or allow to be used for hire for the carriage of goods, wares or merchandise within the City of Hamilton, at one and the same time, more than one of such vehicles under one license. and that each vehicle so used for hire shall have painted thereon in manner hereinbefore provided, the number contained in the license under which the vehicle is used.

Separate license required for each cart.

Owners of more than one cart may use same at different times.

Proviso.

9. The person in whose name a license is taken out for a cart, truck, sleigh or other vehicle, or to whom such license shall have been duly transferred, shall be considered as the owner of such cart, truck, sleigh or other vehicle for the purposes of this By-law.

Person named in license to be deemed owner.

10. Every owner obtaining a license under this By-law, who intends that his cart, truck, sleigh or other vehicle shall be driven by another person or persons, or who at any time wish to employ a driver or drivers therefor, shall submit to the Board of Police Commissioners for approval, the name or names of the person or persons he intends to employ as such driver or drivers; and no cart, truck, sleigh or other vehicle shall be driven by any person, other than by an owner licensed to do so, or by those who have permission from the said Board in writing so to do, which permission shall be endorsed upon the license under which such cart, truck, sleigh or other vehicle is used, and signed by the Clerk of the Police Commissioners; provided always that the Board of Police Commissioners may, whenever they shall deem it expedient, revoke said permission, and such permission shall be cancelled from the time the owner of the cart, truck, sleigh or other vehicle shall have received notice of such revocation.

Drivers to be approved of by Board.

Persons other than owner or person permitted to drive, prohibited from driving.

Power of Board to revoke permission to drive.

11. Every cart, truck, sleigh or other vehicle, for which a license has been granted under this By law, shall be so constructed as not to drop or lose any part of the load thereon, and must be kept reasonably clean, dry, and in good repair, with the harness, tackling and equipments used with the same, and the horse or horses used therewith shall be fit and sufficient to do their work, and whenever the owner of any cart, truck, sleigh or other vehicle, having a license for using the same under this By-law, receives

Vehicles to be kept clean and in good repair.

Horses to be sufficient to do the work.

**BY-LAW.**

If horses, vehicles or equipments unfit, owner on notice to appear before Board.

License may be suspended by Board.

Vehicle, horses and equipment to be submitted for inspection of Chief Constable.

Owner or driver not to prevent inspection.

Clerk to register persons licensed and person to whom permission has been granted to drive.

Driver not to demand more than tariff rates.

Date when license expires.

License fee.

notice to be given to him or his driver, signed by the Clerk of the Board of Police Commissioners, under the authority of the Board, that such cart, truck, sleigh or other vehicle, or any horse or harness, or equipment belonging to the same, is not in a reasonably fit condition for public use, or that such owner or driver has been guilty of misconduct towards any employer of his cart, truck, sleigh, or other vehicle, or has otherwise misconducted himself as the owner or driver of such cart, truck, sleigh or vehicle, the owner shall appear before the Board of Police Commissioners, and if the charge be found proven, his license may thereupon be suspended by the Board, and if so suspended it shall remain wholly inoperative until the said owner shall have obtained a certificate from the Clerk of the said Commissioners that such suspension has been removed by the Board, and that his license is again in full force.

**12.** Every owner licensed, or applying for a license, or for a consent to a transfer of license under this By-law, shall, when required by the Commissioners, submit his carts, trucks, sleighs, or other vehicles, and his horses and harness and other equipments for the inspection of the Chief Constable, or, such person or persons as the Board may appoint for the purpose, both before and during the continuance of his license, and no owner or driver shall at any time when his cart, truck, sleigh or other vehicle is not employed, prevent or hinder the said Chief Constable, or other person or persons authorized as aforesaid, from entering his cart, truck, sleigh or other vehicle, or his yard, stable or shed for the purpose of making such inspection.

**13.** The said Clerk shall keep a register of the name and residence of each person licensed and of the number of his cart, truck, sleigh or other vehicle, with the amount paid by each person, and the date at which the same was paid. The said Clerk shall also keep a register of each person to whom permission has been granted to drive a cart, truck, sleigh or other vehicle.

**14.** No driver of any vehicle licensed under this By-law shall ask, demand or receive more than the tariff rates fixed by this By-law.

**15.** Every license shall be in force from the date thereof until the first day of November following, unless cancelled or suspended, and every license issued on or since the first day of November last under the By-law on carters then in force and which was not cancelled or suspended under said By-law, shall have the same force and effect as if issued under this By-law, and shall be in force until the first day of November next, unless cancelled or suspended under this By-law.

**16.** Each applicant, before receiving a license, shall



pay to the City Treasurer the fee hereinafter required, namely: for each cart, truck, sleigh or other vehicle drawn by one or more horses, two dollars.

**BY-LAW.**

**17.** Whenever a transfer of a license has been made by the licensee and assented to by the Board, the Clerk shall enter such transfer in his register of licenses, and endorse on the license a memorandum that the Board has assented to the transfer.

Transfer of license to be registered by Clerk.

**18.** No driver of any vehicle under this By-law shall abuse or ill-treat his horse or horses, or wantonly or unnecessarily snap his whip, or use obscene, abusive or impertinent language in any public place or in the hearing of any person by or for whom he is engaged, or of any of the employees or family of such person, or of the person to or from whose premises he may carry any goods, wares, merchandise or other articles, or shall solicit any person to take or use his vehicle, but the party wishing to use or engage such vehicle shall be allowed to choose without interruption.

Ill-treating of horses, snapping of whip, obscene abusive or impertinent language and soliciting engagements prohibited.

**19.** Each driver shall, while his cart, truck, sleigh or other vehicle is on the public stand, remain sufficiently near his horse or horses to have perfect control of the same at all times.

Driver to remain near and have control of horses.

**20.** Every person licensed under this By-law to use for hire a cart, truck, sleigh or other vehicle, shall through himself or his driver, when occupying any of the public cart stands in the City, serve the first person who may either personally or through a messenger require his cart, truck, sleigh or other vehicle; and if he pleads he has accepted a previous order, and therefore cannot take the present order, he shall, on demand, give the name of the person to whom he is so engaged, together with his residence and the hour, time and place of his appointment; and no driver shall be compelled to take any order if the party calling him owes him for previous hire, unless such hire shall first be paid.

Licensee or driver to serve first person requiring his vehicle.

Previous engagement.

**21.** No driver of any cart, truck, sleigh or other vehicle used for hire under this By-law, shall loiter about or shall gallop or drive at an unreasonable pace on the streets or at the railway station, or block up the road or access thereto, or the access to any place of public resort, or stop on any of the public crossings of the streets.

Driver not to loiter about or drive at unreasonable pace, or obstruct streets or stop on crossings.

**22.** No owner or driver of any such cart, truck, sleigh or other vehicle, shall employ or allow any runner or other person to assist or act in concert with him in obtaining or soliciting employment at any of the stands or railway stations, or elsewhere in the City.

Soliciting employment prohibited.

**BY-LAW.**

Driver if required,  
to give his name  
and number and  
to exhibit his  
tariff.

**23.** Every driver of a cart, truck, sleigh or other vehicle for which a license has been granted under this By-law, shall, if required, give his name, the name of the owner and the number of the vehicle, to any person having employed him, or offering to employ him, or to any one to whom injury may have been done by his horse or vehicle, and shall also, when so required, exhibit to any one by or for whom he is employed, a printed copy of the tariff under this By-law which the Clerk of the Police Commissioners is hereby requested to furnish with each license.

Tariff.

**24.** The following shall be the tariff of charges under this By-law :

For the carriage of any goods, wares or merchandise, or of any other article from any place in the said city to any other place within the city.

For each package or load under 200 lbs.....25 cents.  
Each load of more than 200 lbs, and not exceeding  
1,000 lbs.....35 cents.  
For each load exceeding 1,000 lbs.....50 cents.  
For each load of furniture.....50 cents.

Carter to take  
reasonable load.

If detained more  
than 15 minutes  
may charge at  
rate of 50 cts. per  
hour.

**25.** Every carter shall take a reasonable load and if he shall be kept waiting by his employer more than fifteen minutes before getting his load, he shall be entitled to charge for such detention at the rate of 50 cents per hour, or in the same proportion for every fraction of an hour, provided that in no case shall the entire charge exceed 50 cents per hour for the whole time that he may be employed inclusive of such detention.

Persons calling  
and not employ-  
ing to pay half  
tariff rates.

**26.** If any person calls a carter, and he leaves his place on the cart stand, the party calling and not employing him shall pay half of the lowest charge on the tariff

Penalty for per-  
sons refusing to  
pay fare.

**27.** It shall and may be lawful for every owner or driver of any cart, truck, sleigh or other vehicle, to demand prompt payment of the lawful fare or hire of the person hiring or using such vehicle, and every person refusing to pay such fare forthwith, shall and may be fined as herein-after provided.

Police to enforce  
regulations.

**28.** It shall be the duty of the members of the police force to see that no person drives or uses for hire a cart, truck, sleigh or other vehicle for the carriage of goods, wares, merchandise or any other article, within the said City of Hamilton without having obtained a license to do so as hereinbefore required, also that the number of the cart, truck, sleigh, or other vehicle is painted on each vehicle, and to report immediately any omission, neglect or infraction of this By-law.

**29.** Any driver of a cart, truck, sleigh or other vehicle licensed under this By-law, shall, when called upon to do so, assist any Constable or other person, in the conveyance in his vehicle of any person or persons to the Hospital or elsewhere as may be required, who may be wounded or who may have met with any accident, or who may have been suddenly taken ill on the street, provided such sickness is not of an infectious nature, and shall be entitled after the performance of such service to the usual fare therefor from the proper authorities.

**BY-LAW.**

Driver to assist any constable or other person in conveying sick or wounded persons.

**30.** Every person licensed under this By-law shall, through himself or his driver, punctually keep all his appointments, and if he shall neglect to fulfil an engagement, or shall not be punctual to the time of his engagement, he shall be subject to the penalties of this By-law : and any person ordering a cart, truck, sleigh or other vehicle and not afterwards using the same, shall pay to the driver of such vehicle the fare that he would have been entitled to receive if the service had been performed for which he was engaged.

Drivers to punctually keep appointment.

Penalty for not fulfilling engagement.

Persons ordering vehicle and not using, to pay fare as if service had been performed.

**31.** If at any time there shall be a number of carts, trucks, sleighs or other vehicles licensed under this By-law in any street, square, public or private place within the said City, any constable may give directions respecting the position of such vehicles and the direction they shall go, and every driver thereof shall immediately conform to such directions.

Constables may direct position of vehicles.

**32.** The owner or driver of any cart, truck, sleigh or other vehicle, licensed under this By-law, shall not be entitled to recover or receive any hire from any person or persons from whom he shall have demanded any greater price or rate than he is allowed to charge under this By-law or to whom he has refused to exhibit his card of the tariff of charges as by the Twenty-third Section of this By-law is provided ; and it shall be the duty of every Police Officer to be vigilant and active at all times in preventing extortion and overcharge by the owners or drivers of carts, trucks, sleighs or other vehicles licensed under this By-law, and any person using or hiring any such cart, truck, sleigh or other vehicle shall be at liberty at any time to call upon any Police Constable to inform him as to the proper hire to be paid for any load or service in question ; and all Police Officers on duty at railway stations, steamboat landings, wharves and other places, shall have supervision over all carts, trucks, sleighs and other vehicles licensed under this By-law and the owners or drivers thereof bringing goods thereto ; in case of any dispute between the owner or driver and the party employing him, as to the charge to be paid for such service, it shall be the duty of any Police Officer, on duty aforesaid, to give all the information in his power as to the amount to be paid, according to the tariff pro-

Owner or driver not entitled to recover fare if he has demanded fare in excess of tariff, &c.

Police to be vigilant in preventing extortion.

Persons using vehicles may call on police for information as to tariff, &c.

Duty of police to prosecute when overcharge to his knowledge has been made.

**BY-LAW.**

vided by this By-law : and on all occasions when an overcharge has been made to the knowledge of any Police Constable, it shall be his duty to prosecute the offender, irrespective of the person or persons against whom such overcharge was made.

Owner or driver  
wantonly mislead-  
ing or deceiving  
persons respecting  
certain matters,  
to be subject to  
penalties imposed.

**33.** If any owner or driver of any cart, truck, sleigh or other vehicle licensed under this By-law shall induce any person to employ him, by either knowingly or wantonly misinforming, misleading or deceiving such person as to the time or place of the arrival or departure of any railway train, steamboat or other public conveyance, or the location or distance from any part of the City of any railway depot, steamboat landing, hotel, public place or private residence, or shall induce any person to employ his cart, truck, sleigh or other vehicle by any false representation, or shall in any manner or form impose upon or deceive, or in any way insult, abuse or ill-treat any person employing him, he shall be subject to the penalties of this By-law as provided in Section thirty-four,

Penalty.

**34.** Any person guilty of an infraction of any of the provisions of this By-law shall, on conviction before the Police Magistrate or, in his absence, before any Justice of the Peace having jurisdiction, forfeit and pay a fine not exceeding twenty dollars, nor less than one dollar for each offence, and in default of payment of any fine imposed, together with costs of prosecution, it shall and may be lawful for the Police Magistrate or other Justice of the Peace to issue his warrant to levy the amount of fine and costs by distress and sale of the offender's goods and chattels, and in case no sufficient distress to satisfy the amount of fine and costs shall be found, it shall and may be lawful for the Police Magistrate or other Justice of the Peace, to commit the offender to the common jail of the County of Wentworth for a period of not more than one month, with or without hard labor, unless the fine and costs be sooner paid.

ALEX. MCKAY, MAYOR,  
*Chairman of Board of Police Commissioners.*



# Appendix—Part 5.

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BY-LAWS

—OF THE—

Board of Governors of the City Hospital

—AND—

BOARD OF MANAGERS OF THE HAMILTON CEMETERY.

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- (a) Respecting the City Hospital, Patients and Officers.
- (b) Respecting City Hospital and Medical Staff.
- (c) Rules and regulations of the Hamilton Cemetery.

## BY-LAW.

## BY-LAW

*Passed 9th February, 1897.*

*Respecting the City Hospital.*

Preamble.

WHEREAS the Council of the City of Hamilton have appointed a Board of Governors to control and manage the Hospital of the said City, and have given power to the said Board to pass By-laws respecting the management and control of said Hospital, and it is expedient to provide rules and regulations for the conduct of patients, and also to define the duties of the officers, nurses, and servants of said Hospital ;

Therefore the Board of Governors of the City Hospital of the City of Hamilton enacts as follows :

## ADMISSION OF PATIENTS.

Patients to be admitted on order of member of Board.

1. Patients shall be admitted to the public wards of the City Hospital on the order of the Chairman or any member of the Board of Governors, and receive medical, surgical and all other treatments free of charge ; whatever they pay or is paid for them being solely on account of actual maintenance. Patients shall agree to and become subject to all the rules of the institution, and shall implicitly obey and observe all regulations and by-laws, and carry out all orders regarding the general or individual treatment. They must not in any way endanger their own chances of recovery, nor the recovery of their fellow patients ; and shall as far as possible, help to maintain the regulations and discipline of the Hospital. On these conditions only are patients admitted. The Hospital being a charitable institution, patients accepting such service or treatment, personally assume all risk and responsibility ; the Board of Governors are not liable under any circumstances for any accident, injury or casualty of any kind which may happen to or befall any patient, employee, visitor or other person, in the exigencies of such an institution, whether caused by the acts of any of the employees, staff or otherwise.

Persons not to be admitted.

2. Chronic cases, cases of senile debility, insane persons, or incurables shall not be admitted.

## RULES FOR PATIENTS.

Hours when patients must be in ward.

3. Patients must be in their proper places in the wards at meal times and during the visits of the physicians and surgeons, and always at seven o'clock at night ; and no patient shall leave the Hospital grounds at *any time*, or be absent at the hour of the morning visit of the physicians and surgeons, without special leave of the Medical Superintendent.

Not to leave Hospital without consent of Supt.

## BY-LAW.

4. Patients must be quiet and exemplary in their behaviour, and conform strictly with the rules and regulations of the Hospital, and carry out all orders and prescriptions of the various officers of the establishment. No indecent or immoral conduct will be tolerated. The use of tobacco in any form is strictly prohibited. Loud talking or unnecessary noise of any kind in the wards or corridors is forbidden.

Behaviour of patients.

5. Patients are not allowed in any way to interfere with or remove their diet cards or charts from the wards. Patients must not take away bottles, labels or appliances, when leaving the Hospital.

Patients not to interfere with diet cards, or take away appliances.

6. After 8 o'clock p. m. perfect quiet must be observed in the wards.

Quiet to be observed after 8 o'clock p. m.

7. Public ward patients, when they are well enough, shall rise at 5 o'clock a. m., and such patients as are able, in the opinion of the Medical Superintendent, shall assist in nursing others, or in such other services as the Medical Superintendent may require.

Hours when patients shall rise.

Patients to assist in nursing.

8. No patient shall enter the basement storey, laundry, operating room, the officers' or attendants' rooms or any ward except his or her own; and no male patients shall enter the women's wards, or any female patient the men's wards, without permission of the Medical Superintendent.

Patients not to enter wards of opposite sex.

9. Patients in private wards may be visited by their friends between the hours of 2 and 8 p. m. Friends desiring to remain with patients over night must first procure permission from the Medical Superintendent, who may in all cases use discretionary powers as to excluding or admitting visitors.

Hours for visiting patients in private wards.

10. No eatables or liquors of any kind shall be taken into the wards by visitors, but any such brought to the Hospital shall be left with the nurse in charge, marked with the name of the patient for whom they are intended. The Medical Superintendent will allow or refuse their use, as he may think proper.

Eatables or liquors not to be taken into wards by visitors.

11. Any person bringing liquor into the Hospital or grounds, or found intoxicated, will be discharged.

Persons bringing liquor or found intoxicated will be discharged.

12. Patients are expressly prohibited: 1st, from lying in bed without being undressed, either by day or night; 2nd, from talking in the wards after 8 o'clock p. m.; 3rd, from going to other rooms or wards without permission, or beyond the limits assigned in the grounds for exercise; 4th, from occupying the steps at the entrance door and sitting on the staircases within the Hospital; 5th, from wilfully or

Rules to be observed by patients.

**BY-LAW.**

carelessly injuring any of the furniture or other property of the Hospital.

Patients remaining out beyond time specified, to be regarded as discharged.

Convalescent patients to assist in work.

**13.** Patients allowed out and remaining beyond the time specified shall be regarded as discharged, and they must make an explanation satisfactory to the Medical Superintendent before they can return to their wards. Convalescent patients must render such help in the general work of their wards as their condition will warrant, in response to the demands of the nurses.

Patients misbehaving or violating rules may be discharged.

Patients to be in their places on regular visits of attending physicians.

**14.** Whenever patients misbehave or violate any of the rules of the Hospital, the Medical Superintendent shall remove or discharge them, and they shall not be again admitted to the Hospital without the consent of the Board of Governors. At the regular visits of the attending physician and surgeon, every patient must be in his or her place. If able to sit up, he or she must sit on the chair in front of the bed until the end of the visit; and no person shall wear his or her hat, converse, or make any noise while the physicians are in the ward.

Money and valuables to be left with the Steward.

**15.** All money or valuables belonging to patients must be left with the Steward on admission. On no other condition will the Board of Governors be responsible for any loss, however it may happen.

Disposition of clothing and other effects of patients dying or leaving Hospital.

**16.** Clothing and other effects of patients dying or leaving the Hospital will not be kept longer than three months. Clothes and all other effects not claimed by patients or their legal representatives within three months, will be given to poor and needy patients of the Hospital, according to the discretion and under the directions of the authorities.

Out-door patients.

**OUT-PATIENTS.**

Poor persons to receive advice and medicine free.

**17.** All poor persons shall daily receive advice free of charge at the Hospital on the order of the Mayor or Chairman of the Board of Governors. The medicine prescribed for them by the out-door physician or surgeon will be supplied free of charge at the Hospital if the patient be unable to pay for the medicine at a drug store.

Ordinary operations and service, who to be rendered by.

**18.** The out-door physician or surgeon or the Medical Superintendent will perform any ordinary operation or render such other ordinary service to the applicant as may be necessary in the case.

Patients not to loiter about premises.

**19.** The patients shall not loiter about the Hospital premises but come directly to the place appointed for their reception, and as soon as they have been advised and treated or received the medicine prescribed they shall leave the Hospital premises.



**20.** They shall not be advised, treated or given medicine if they wilfully disobey or neglect any advice or direction which may be given to them. They shall attend the Hospital in as cleanly a condition, in person and dress, as their complaint and circumstances will permit, and conduct themselves while at the Hospital in a quiet and orderly manner.

**BY-LAW.**

Patients not to be advised or treated if they wilfully disobey or neglect advice.

**21.** They shall be removed from and not received again at the Hospital, or be advised, treated or furnished medicine if they wilfully violate any of the rules or by-laws of the Hospital.

Penalty for violating rules.

**22.** They must be in the waiting rooms of the Hospital at 12 o'clock noon, daily, except Saturdays and Sundays, and remain in the waiting room until prescribed for, and furnish their own bottles and gallipots, and see that they are kept clean.

Hours when to be in attendance.

**23.** The out-door free service is for the benefit of the poor only, and not for patients able to pay for medical advice and medicines.

Out-door service for poor only.

**24.** Out-door patients are subject to all rules and regulations of the Hospital, and by accepting free treatment assume all risks and responsibilities which may occur during their attendance at the Hospital.

Patients subject to rules and regulations.

**RULES FOR PATIENTS IN THE MATERNITY HOSPITAL.**

Rules for maternity patients.

**25.** Public ward patients shall be admitted not more than two weeks before their expected accouchment.

Public ward patients not to be admitted more than two weeks before expected accouchment.

**26.** All maternity patients shall be admitted by the Medical Superintendent subject to the regulations laid down from time to time by the Board of Governors.

Patients admitted subject to regulations.

**27.** Public ward patients, when they are well enough, shall rise at 6 o'clock a. m., make their own beds and assist in keeping the wards in order, under the supervision of the nurse in charge,

Public ward patients to rise at 6 a. m. and assist in work when well enough.

**28.** When in the Hospital public ward patients shall wear only such clothes as the Hospital provides.

Clothing.

**29.** Private ward patients shall give a satisfactory guarantee to the Medical Superintendent for the payment of all Hospital charges.

Private ward patients to give guarantee for payment of charges.

**30.** On no pretence whatever shall the mother leave the Hospital without taking the infant with her.

Mother not to leave Hospital without taking infant.

**31.** The obstetric cases in the Hospital shall be attended by the City Medical Health Officer or by such

Obstetric cases, who to attend.

**BY-LAW.**

Fee.

other duly qualified medical practitioner or practitioners as may hereafter be appointed by the Board, and such Medical Health Officer or other practitioner shall receive six dollars for each case so attended, and which shall include all necessary attendance.

**VISITORS.**

Visitors not allowed without permission of Superintendent.

**32.** No visitors are allowed in the Maternity Hospital except on a written order from the Medical Superintendent.

Rules for visitors.

**RULES FOR VISITORS.**

Visitors' days and hours.

**33.** Visitors are admitted on Wednesday and Saturday afternoons from 2 to 4 o'clock.

Clergymen.

**34.** Clergymen are admitted daily.

Religious service how to be conducted.

**35.** No patient shall be constrained to hear any religious service or reading unless he or she personally desires it, and is able safely to attend to it. All such reading and service shall be carried on so as not to interfere with those patients for whom the same is not intended, or who do not desire to listen.

Religion of patient shown on Card.

**36.** The religion of each patient will be found on a card placed over the bed.

Visitors to read or talk on religious matters to patients of their denomination only.

**37.** Visitors will see the necessity of reading or talking on *religious* matters to patients of their own denomination *only*.

Singing prohibited.

**38.** Singing will not be permitted in the Hospital.

Visitors before entering to see nurse in charge.

**39.** Visitors are requested to see the nurse in charge before entering any ward.

Visitors prohibited from giving patients articles of food.

**40.** Visitors are strictly prohibited from giving any article of food, fruit, or luxury to any patient. Luxuries intended for any patient must be left with the nurse in charge, who will distribute them under direction of the Medical Superintendent.

Visitors not to interfere with Hospital discipline.

**41.** Visitors must not interfere with the discipline of the Hospital by giving orders to nurses or patients.

Visitors not to converse with patient on medical or surgical treatment.

**42.** Visitors must not converse with patients concerning their medical or surgical treatment, and particularly regarding their individual diseases. At the entrance of any medical men into the ward, visitors are expected to retire if necessary.

Visitors to leave ward at 4 p. m.,

**43.** Visitors are required to leave the wards promptly at 4 o'clock p. m.

44. Visitors desiring to make any complaints must communicate with the Medical Superintendent, or enter the complaint in the Complaint Book.

**BY-LAW.**

Complaints to be made to Superintendent.

45. The record of the religion on the card of every patient is intended for the convenience of clergymen of the same denomination, and the officials of the Hospital are forbidden to allow any interference with or alteration of the records on these cards.

Card shewing religion not to be interfered with.

**DUTIES OF MEDICAL SUPERINTENDENT.**

Duties of Medical Superintendent.

46. The Medical Superintendent shall have the entire charge and control of the City Hospital, subject to the Board of Governors ; he shall visit the respective wards in the Hospital at least once every day, and oftener when required.

To have entire charge and control of Hospital.

47. Whenever a patient is admitted to the Hospital, the Medical Superintendent shall forthwith examine such patient or cause him or her to be examined by the House Surgeon, and if the urgency of the case demands, shall prescribe at once.

To examine patient on being admitted.

48. When an urgent operation is to be performed, the Medical Superintendent shall notify the surgeon or surgeons then attending the Hospital, and if they cannot readily be found, he shall be at liberty to call assistance and perform the operation immediately.

Urgent operations

49. He shall have power to dismiss any patient for improper conduct, or breach of discipline, and he shall immediately report the same to the Chairman of the Board of Governors.

May dismiss patient on improper conduct &c

50. He shall, under the Board, have charge of all medicines and instruments, apparatus, etc., connected with the surgical and medical department, and shall be responsible for the same.

To have charge of medicines, instruments, apparatus, &c.

51. He shall not engage in private practice or for remuneration except that awarded him by the Board.

Not to engage in private practice.

52. The Medical Superintendent and House Surgeons shall not be out of the building at the same time.

Not to be out at same time as House Surgeons.

53. He shall be responsible for affixing the names and other particulars of all the patients at their bed-heads, and he shall draw up for the Board a weekly report of the number of patients admitted and discharged, the disease for which they were admitted, the number of deaths and causes of the same, and shall keep the register as required by the Government ; he shall also report the absence of the visiting Medical Officer or his substitute, and he shall enter

Responsible for affixing particulars at bed-heads.

**BY-LAW.**

To report weekly  
to Board.

a copy of the said report in a book to be kept for that purpose at the Hospital.

To notify Steward  
of dismissal of  
patients and of  
directions as to  
diet, &c.

**54.** He shall notify the Steward of the dismissal of all patients, and of all directions as to diet, extras, etc., which he shall enter in a book to be kept for that purpose.

Not to absent him-  
self during regu-  
lar visiting hours  
of Medical Officers

**55.** He shall not absent himself from the Hospital during the regular visiting hours of the visiting Medical Officers, and when at any other time he has occasion to leave the Hospital, he shall leave word where he is to be found. He must always be in the Hospital at a reasonable hour in the evening, and never sleep out of the building, unless with the knowledge of the Chairman of the Board of Governors.

Not to sleep out  
of building unless  
with knowledge  
of Chairman.

To mix medicines.

**56.** He shall mix, or cause the House Surgeon to mix, the different medicines for the patients, except where the medicine is supplied by the attending physician, and annex to them labels containing the names of the patients and the directions for taking the medicine, and shall send the medicines to the different wards by the respective nurses.

Major operations.

**57.** When major operations are to be performed he shall notify *all* the members of the Medical and Surgical Staff by post card, stating the operation to be performed, and the hour and date at which it is proposed to operate. In case of an emergent major operation he shall notify *all* the members of the Medical and Surgical Staff by telephone.

Rules for resident  
medical assistants

#### GENERAL RULES FOR RESIDENT MEDICAL- ASSISTANTS.

Duties of

**58.** The resident medical assistants shall perform all duties assigned to them by the Medical Superintendent.

To visit patients  
allotted to them  
twice a day or  
oftener if  
necessary.

**59.** They shall visit all the patients allotted to them at least twice a day, and oftener, if necessary; inform themselves fully of the condition of each patient admitted to the wards in their charge as soon as possible after admission, so as to be able to answer inquiries, to assist physicians or surgeons in charge of the cases, and see that the directions regarding diet and treatment are fully carried out: keep notes of all cases, and communicate promptly with the Medical Superintendent respecting anything proper to be brought under his notice, particularly matters affecting the comfort of the patients and insubordination or neglect of duty by any of the attendants.

To assist physi-  
cians in charge of  
cases.

In absence of  
Medical Superin-  
tendent, assistant  
to admit patients  
&c.

**60.** In the absence of the Medical Superintendent, one of the assistants (whose turn it is to be on duty) shall remain in or near the general office, to admit patients, attend cases of emergency, and perform such other services as may be requisite.



**61.** They shall take part when so required, in admitting out-door patients in any department.

**BY-LAW.**

To take part in admitting out-door patients.

**62.** No assistant is to absent himself from the Hospital without permission from the Medical Superintendent, and when leaving the premises must arrange with his colleagues for the performance, in his absence, of all ordinary and regular duties.

Not to be absent without permission of Superintendent.

**63.** One-half the number of assistants must always remain on duty. This rule is imperative.

One-half the number to remain on duty.

**64.** The assistants are relied upon to co-operate in promoting harmony, discipline and the general efficiency and good name of the Hospital and the Training School, by every means in their power, and particularly by their own conduct, demeanor and example, whether on or off active duty. They are specially cautioned against all attentions to or familiarity with any of the nurses, not only as a violation of the rules of the Training School, but also as unbecoming in their respective positions in the Hospital, as interfering with proper discipline, and as tending to injure the nurse by diverting attention from her work, in the wards and in the School, and to prejudice her standing with the Hospital authorities. This caution applies outside as well as in the Hospital premises, and neglect of it will render the offender liable to instant dismissal.

General directions

**65.** Each assistant must furnish himself with a stethoscope.

To furnish stethoscope.

**DUTIES OF THE LADY SUPERINTENDENT.**

Duties of Lady Superintendent.

**66.** The Lady Superintendent shall, under the direction of the Medical Superintendent, have the general supervision of the wards and nurses in their respective departments and see that the duties of all nurses and ward maids are properly performed.

To have supervision of wards and nurses.

**67.** She shall see that all orders and instructions regarding the care and management of the wards and nurses' departments are carried out, and that there is no waste or improper use of any articles of Hospital property.

To see that all orders regarding care and management of the wards and nurses' departments are carried out, and to prevent waste.

**68.** She shall take charge of the clothing and other property, not in use, belonging to patients, and keep a record of the same in a manner prescribed by the Medical Superintendent, and shall deliver to the Steward for safe keeping all money, clothing and other valuables belonging to patients, taking a receipt for the same. She shall keep a record of the patients' clothing sent to the laundry, disinfecting tank or fumigating room and exercise proper diligence to secure the return of the same.

To have charge of patient's clothing not in use, and keep record of same.

**BY-LAW.**

On death of patient to take charge of property, and deliver same to Steward.

**69.** On the death of a patient she shall take charge of all property (including clothing) then in the patients' possession and deliver the same to the Steward, taking a receipt therefor.

To attend to ventilation and disinfection of wards.

**70.** She shall attend to the ventilation and disinfection of the wards, closets, sinks and bath rooms.

To see that patients are kindly treated.

**71.** She shall see that all patients are kindly and attentively cared for, and that they are perfectly clean in their persons and clothing, orderly and well behaved in their conduct and shall permit no loud talking or laughing or rudeness of any kind. Any defect in the condition or distribution of the food must be promptly reported by her to the Medical Superintendent.

To report any defect in condition of food.

Responsible for ward supplies &c.

**72.** She shall be responsible for all ward supplies and utensils and the proper arrangement of the wards.

To have charge of executing physician's orders

**73.** She shall note in writing orders given by the attending physician or surgeon, and keep a daily record of orders for each patient in the ward, and shall have charge of the execution of such orders.

To have charge of all matters affecting nursing.

**74.** The Lady Superintendent shall, under the direction of the Medical Superintendent, have the entire supervision of all matters affecting the nursing of patients.

To hire and discharge all probationers and nurses  
To have charge of Training School.

**75.** She shall hire and discharge all probationers, nurses and ward maids, and be responsible for the proper state of the wards and nurses' apartments. She shall also have charge of the Nurses' Training School.

To receive all complaints made by patients or nurses.

**76.** She shall receive all complaints made by patients or nurses, and report the same to the Medical Superintendent for his decision.

To report neglect of duty of employees in her department.

**77.** She shall report all neglect of duty or misconduct of employees in her department or misconduct of patients, to the Medical Superintendent.

Responsible for preparation of extras.

**78.** She shall be responsible for the preparation of extras ordered for patients.

Duties of Nurses.

DUTIES OF NURSES.

To see that patients are put into a state of cleanliness.

**79.** When any patient is admitted to the Hospital, the Nurse of the ward to which such patient may be ordered, shall see that such patient is put into a state of cleanliness, under the direction of the Lady Superintendent.

To state to attending physician circumstances which may assist him.

**80.** The Nurse shall, at the next visit, state to the attending Medical Officer such circumstances as may tend to throw light on the case, and shall be ready, if requested, to do the same at each succeeding visit.

**81.** She shall give the patient, if he or she have none, a Hospital shirt, and shall deliver, without delay, to the Lady Superintendent, his or her clothing and effects.

**BY-LAW.**

Clothing to be given patient.

**82.** In the event of any patient being seized with violent or alarming symptoms, she shall give immediate notice to the Medical Superintendent.

To notify Medical Superintendent of any violent or alarming symptoms of patient.

**83.** The nurses shall change the patients' linen, bed linen and bedding when required.

To change linen and bedding when required.

**84.** They shall see that the patients take their medicine as prescribed, and be diligent in complying with the orders of the attending Physician and the Medical Superintendent, and behave with tenderness and propriety towards the patients.

To see that patients take their medicine as prescribed. Conduct towards patient.

**85.** They shall pay particular attention to the patients, supplying them with the drink prescribed as often as necessary, placing the vessel or vessels containing it conveniently within their reach, and in all cases assisting them when they are unable to assist themselves.

To give attention to patients.

**86.** They shall give immediate notice to the Medical Superintendent when any patient or patients have violated any of the rules or regulations of the Hospital.

To notify Medical Superintendent of violation of rules.

**87.** When a death occurs the nurse of the ward shall immediately give notice thereof to the Medical Superintendent.

When death occurs to notify Medical Superintendent.

**88.** They shall always keep themselves neat, and shall not unnecessarily leave their respective wards when on duty, nor leave the Hospital without permission from the Lady Superintendent.

Not to leave Hospital without permission.

**89.** Before a body is sent to the Morgue it must be carefully inspected, and all jewelry and other valuables removed by the Nurse in charge, who shall immediately deliver all such jewelry or valuables to the Lady Superintendent.

To remove jewelry and valuables from body and deliver such jewelry &c. to Lady Superintendent.

**DUTIES OF THE HOUSEKEEPER.**

Duties of Housekeeper.

**90.** The Housekeeper shall, under the direction of the Medical Superintendent, have the general oversight and charge of the cleanliness of the whole establishment except the Nurses' rooms.

To have general oversight of establishment except the nurses' rooms.

**91.** She shall also be responsible for the cleanliness of the private rooms, officers' and servants' rooms, offices, halls, lobbies and corridors, and shall inspect and take proper care of the linen, beds, bedding, furniture, etc., in the different rooms under her care.

Responsible for cleanliness of building.

To take care of linen, beds, &c.

**BY-LAW.**

To have charge of female servants.

To report monthly to Medical Superintendent.

To have charge of general sewing &c

Responsible for keep and economical use of supplies.

To see that kitchen and utensils are kept clean and check wastefulness.

To report misconduct of servants.

To have charge of laundry.

Not to be absent without permission.

Stores to be economically used.

Duties of Female Servants.

To be subject to control of the Housekeeper.

To obey Housekeeper. Not to be absent without permission.

**92.** She shall have charge and direction of all female servants in her department; see that all female servants are in their rooms at 10 o'clock p. m. and lights out at 10.30 p. m.; superintend the dining rooms, kitchen, cooking, serving of food, and prevent waste; report to Medical Superintendent when servants are ill; discharge and hire female servants when necessary, giving and receiving two (2) weeks notice; keep a book with names of servants, time engaged, amount paid, time off, holidays, etc., and make a report monthly to the Medical Superintendent; attend to ventilation of servants' rooms, supervise preparation of night nurses' supper; have charge of general sewing, manufacture of bedding, clothing and other supplies, and attend to repairs and marking of clothes before they leave the linen room.

**93.** She shall be responsible for the safe keeping and economical use of all supplies issued, and cooking and distribution among the several tables, and shall as far as possible prevent food or extras being misappropriated or wasted.

**94.** She shall see that the kitchen and utensils are kept clean and in good order, and that unused supplies are returned to the kitchen immediately after meals, and check all wastefulness, particularly seeing that no food or supplies of any kind are taken from the kitchen or Hospital by any assistant, servant or patient.

**95.** She shall report promptly to the Medical Superintendent, any matter, requiring special attention, and particularly any misconduct, insubordination, or neglect of duty on the part of her subordinates.

**96.** She shall have charge of the laundry, and shall receive and be responsible for all the soiled clothes being properly washed, dried, aired and returned to the linen room or wards.

**97.** She shall not absent herself from the premises except on the regular business of her department without leave of the Medical Superintendent.

**98.** She shall see that all stores entrusted to her care are economically used, and that no stores are taken out of the laundry.

**DUTIES OF FEMALE SERVANTS.**

**99.** They shall be under the immediate charge of the Housekeeper and subject to her control.

**100.** They shall obey the directions of the Housekeeper, and perform all the work assigned to them, in the manner and at the time specified. They shall not absent



themselves from the Hospital without the permission of the Housekeeper.

**BY-LAW.**

**101.** All servants must be promptly on duty ; they must not, without the permission of the Medical Superintendent, remain out after 10 o'clock p. m., at which hour they are required to be in their rooms and all lights out at 10.30 o'clock p. m.

To be in room at 10 o'clock p. m., and lights out at 10.30 p. m.

**102.** Any case of illness of servants must be at once reported to the Housekeeper, who shall immediately report the same to the Medical Superintendent.

Illness of servants.

**103.** All household supplies must be obtained from the linen room, between the hours of 8 and 9 a. m. and 4 and 6 p. m.

Hours for receiving supplies.

**104.** Servants may see their friends in the sitting-room assigned to them, but in no other part of building.

Where servants may see their friends.

**105.** Loud talking, laughing and all unnecessary noise in wards and corridors are strictly forbidden.

Conduct of servants.

**106.** The servants are not to hold any communication with any patients while in the Hospital. They must not take them food nor drink, nor visit the wards without permission from the Medical Superintendent.

Not to communicate with patients or take them food or drink.

**107.** Any servant being disobedient or violating any rule is liable to dismissal.

Penalty for violation of rules.

**DUTIES OF THE STEWARD.**

Duties of Steward.

**108.** The Steward shall have the general oversight of the Hospital premises, including buildings, grounds, property and stores of all kinds, except medical and surgical supplies and appliances.

To have general oversight of premises.

**109.** He shall purchase stores and supplies in the manner directed by the Board of Governors or Medical Superintendent, and it shall be his duty to see to their proper care, use and distribution.

To purchase stores and supplies.

**110.** He shall examine, check and certify to the correctness of all invoices and weigh or measure all stores received.

To check invoices.

**111.** He shall keep a stock book in which he shall enter all stores received and given out, and at the end of each month shew the stores on hand.

To keep stock book.

**112.** He shall see, as far as possible, that all the buildings and premises are kept in proper order and repair, and for this purpose he shall make regular visits to all parts of

To see that buildings are kept in repair.

**BY-LAW.**

the premises and report all repairs required to the Medical Superintendent.

To attend to ventilation of store rooms and basement,

**113.** He shall particularly see to the cleanliness and good order and ventilation of all the store rooms and the basement.

To have direction of male attendants &c.

**114.** He shall have the direction of all male attendants, mechanics and other persons employed in his department, the hiring and discharging of the same, giving and receiving two weeks' notice.

To carve and serve food.

**115.** He shall attend to the carving and serving of food sent to the wards and to the proper serving and carving of the meals taken in the dining rooms and prevent all waste.

Not to be absent without permission.

**116.** He shall not absent himself from the premises, except on the regular business of his department without leave of the Medical Superintendent.

To be under direction of Medical Superintendent.

**117.** He shall, in the discharge of all his duties, be under the immediate direction of the Medical Superintendent.

To report to Medical Superintendent any misconduct coming to his notice.

**118.** He shall promptly report to the Medical Superintendent any misconduct, neglect of duty or irregularity which may come under his notice on the part of any servant, patient or other inmate of the institution.

To assist in removing snow or ice from sidewalks

**119.** With the assistance of the Porter he shall remove all snow and ice from the sidewalks.

Duties of Engineer.

**DUTIES OF THE ENGINEER.**

To have care of all heating apparatus, machinery, gas pipes, baths, closets, &c.

**120.** The Engineer shall have the care of all boilers, furnaces, stoves, grates, steam and water pipes, and other apparatus belonging to the heating of any of the buildings; all machinery used in the laundry or elsewhere; fire plugs, fire hose, hydrants, and appurtenances connected with the water or gas service in the buildings or anywhere upon the grounds or premises; all gas meters, pipes and connections; all baths, closets, water tanks, hot water fixtures and appliances, and shall see that they are kept in good order, doing himself all ordinary repairs, and reporting to the Medical Superintendent all extraordinary repairs required in his department, and for this purpose he shall regularly inspect and examine the premises. He shall maintain a temperature of at least 65 degrees throughout the wards both day and night during cold or changeable weather, and regulate the temperature of the wards from time to time as directed by the Medical Superintendent.

To do ordinary repairs.

**121.** He shall receive all coal, and certify to the correctness of all invoices of coal delivered, and see that the same is used economically.

To receive all coal.

**122.** He shall be responsible for the cleanliness and order of all parts and rooms under his care.

**BY-LAW.**

To keep rooms under his care clean.

**123.** He shall see that no patient or other person (not having business there) is allowed in the boiler rooms or workshops, or to loiter about in any part of the basement, and report any breach of this rule or any other irregularity to the Medical Superintendent.

To allow no persons in boiler room, or to loiter in basement.

**124.** All articles required for the department are to be obtained by a requisition from the Medical Superintendent.

To obtain requisition from Medical Superintendent for supplies.

**125.** He shall be responsible for the good order of all hose and fire appliances, and shall instruct all officers, nurses, and employees regarding the use of such for fire purposes.

To have charge of hose and fire appliances.

**126.** During the summer season he shall attend to cutting the grass, watering same, and keeping the lawns, shrubs, and flower beds in good order.

To cut and water the grass, and care for lawns, shrubs, flower beds &c.

**DUTIES OF THE PORTER.**

**Duties of Porter.**

**127.** The Porter shall assist the Steward in receiving, caring for, and issuing of stores and supplies, and shall perform such other duties as the Medical Superintendent or Steward may require.

To assist Steward.

**128.** He shall assist in removing all bodies to the morgue, and when a post-mortem examination has taken place, shall do what is necessary to put the body in a condition for burial.

To assist in removing bodies to morgue.

**129.** He shall assist the Steward to remove snow and ice from the pavement and walks about the Hospital; he shall also assist the Engineer to cut and water the grass and attend to the flower beds, etc.

To assist in removing snow and ice from pavement and walks.

To assist in cutting and watering grass.

**GENERAL RULES.**

**General rules.**

**130.** No person shall attempt to regulate the temperature in the wards by interfering with windows, registers, or ventilators. Any patient so interfering will be immediately discharged from the Hospital. All such matters requiring attention should be reported to the Medical Superintendent.

No person to interfere with ventilation.

**131.** Smoking and the use of tobacco will not be allowed in any portion of the Hospital Buildings, except in the boiler room.

Use of tobacco prohibited except in boiler room.

**132.** No instruments, apparatus or supplies, medical or surgical, shall be loaned or taken outside the Hospital for private use, except by permission of the Medical Superintendent, who alone may make exceptions to this rule in particular cases.

No Instruments apparatus or supplies to be loaned or taken from Hospital without consent.

**BY-LAW.**

Liquors amount  
to be kept.

**133.** Wines, liquors and other stimulants shall be issued only on the order of the Medical Superintendent or House Surgeons and shall be noted in the diet book provided for that purpose; each order shall specify the name of the patient for whom it is issued and the amount required. No liquor shall be kept in bulk in any ward of the Hospital, except eight (8) ounces of whiskey or brandy in the emergency wards and the same amount in the operating room for cases of emergency, and there under lock, entrusted to the nurse on duty.

Officers and em-  
ployees to per-  
form duties as  
directed by Medi-  
cal Supt.

**134.** Resident officers and all employees of the Hospital shall perform such duties as the Medical Superintendent may require at any time.

Night attendants  
to guard against  
violation of rules.

**135.** It shall be the duty of all night attendants to guard during the night against any violations of the rules of the Hospital, and should such occur, or any circumstances requiring attention, they must report the same immediately, or early in the morning (as the case may be), to the Medical Superintendent.

Officers and em-  
ployees to be  
punctual and  
regular at meals.

**136.** The officers and all employees are enjoined to be regular at their meals, as punctuality in this matter is considered essential to the discipline of the Hospital.

Lights when to be  
out.

**137.** All lights, except in the wards, entries, offices, halls, boiler room, officers' and physicians rooms, are required to be extinguished at half-past ten (10.30) o'clock p. m., at the latest.

Reading in bed  
prohibited.

**138.** Reading in bed at night is not allowed either by patients or by any person connected with the establishment in any capacity. A second breach of this rule will render the offender liable to immediate expulsion.

Telephone, who  
may use.

**139.** The telephone may be used by nurses and employees on special occasions only, and then by permission of the Medical Superintendent.

By-laws No. 530  
and so much of  
No. 740 inconsis-  
tent herewith  
repealed.

**140.** By-law No. 530, passed on the 12th day of May, 1890, and so much of By-law No. 740, passed by the City Council on the 28th day of May, 1894, inconsistent with the foregoing, are hereby repealed.

JOHN BILLINGS,  
*Secretary.*

GEORGE ROACH,  
*Chairman.*



## BY-LAW

## BY-LAW.

*Passed 30th June, 1898.*

*Respecting the City Hospital.*

**B**E it enacted by the Board of Governors of the City Hospital of the City of Hamilton.

**1.** The Board of Governors shall annually, at their first meeting in the month of July, appoint a Medical Staff. The members thereof shall hold office for one year, or until their successors are appointed. No physician except the Pathologist shall be eligible for a position on the Staff or of Consulting Physician who has not been a legally qualified practitioner in actual practice for five years next previous to his appointment.

Medical Staff  
when to be  
appointed.

Who eligible.

**2.** The Staff shall consist of six In-door Physicians, three Out-door Physicians, four Surgeons, one Gynaecologist, one Homeopathic Physician, one Oculist and Aurist, and a Pathologist. They shall attend in the public wards the medical and surgical patients, and such as have diseases of the eye, ear or throat, and shall give their services gratuitously.

Constitution of  
staff.

**3.** One In-door and one Out-Door Physician and one Surgeon shall visit the Hospital daily for one month at a time, or for such longer period as the Medical Staff and the Medical Superintendent agree upon.

Term members  
are to act.

**4.** Should any member of the Medical Staff fail in the performance of his duties in the Hospital from any cause, the Medical Superintendent shall perform such duties or cause them to be performed.

If member fails to  
perform duties  
Medical Supt. to  
perform.

**5.** The attending Physician or Surgeon shall at each visit write or cause to be written and shall sign such prescriptions and directions as he may deem necessary and hand the same to the Resident Physician or to the Nurse in attendance.

Attending  
physician or sur-  
geon to write  
prescriptions and  
hand to resident  
physician or nurse

**6.** The treatment of patients in the public wards shall be confined to the Medical Staff.

Treatment of  
patients in public  
wards confined to  
Medical Staff.

**7.** Private or semi-private patients may select any legally qualified Physician to attend them while in the Hospital; but the Board of Governors or the City Corporation shall be under no liability in respect thereof.

Private or semi-  
private patients  
may select  
physician.

**BY-LAW.**

Lodge Doctors.

8. Lodge doctors shall have the privilege of attending members of their society occupying private or semi-private wards.

Who may walk  
wards in company  
with attending  
physician.

9. All licensed practitioners and medical students of the City may walk the wards of the Hospital in company with the attending Physicians of the Medical or Resident Staff, and be present at all except private operations. They shall not dictate or interfere in any matter.

Major operations  
regulations.

10. No major operation shall be performed upon any patient in the public wards, except in case where the delay might be dangerous, until reasonable effort has been made to notify the members of the Medical Staff, nor without the consent of a majority of the members present.

Use of instru-  
ments by  
physicians.

11. Physicians and Surgeons attending patients in the Hospital shall have the same privilege as the Medical Staff of using in the Hospital for such patients the instruments, apparatus, etc., connected with the medical and surgical departments.

Power of Board to  
suspend  
physicians for un-  
becoming conduct.

12. Should any member of the Medical Staff or any visiting Physician act in an unbecoming manner in the City Hospital, or violate the rules and regulations thereof, the Medical Superintendent shall report the same to the Chairman of the Board of Governors, who shall notify the offender of the charge against him and appoint a time for him to appear before the Board of Governors and be heard in his own defence; when, if it shall appear that such Physician has been guilty of a breach of decorum or violation of the rules and regulations of the City Hospital, he may be suspended from the City Hospital for any period of time.

In case of  
accidents no order  
for admission  
necessary.

13. In case of accidents to citizens or where persons who are not citizens have met with accidents within the city limits, no order or recommendation shall be necessary for admission to the City Hospital, nor in cases coming under the observation of the police and requiring immediate attention.

Schedule of  
charges to be  
arranged by  
Board.

14. The Board of Governors shall from time to time arrange a schedule of charges for the private and semi-private wards in the Hospital.

By-law No. 740 of  
City Council  
repealed

15. By-law No. 740 of the City Council passed on the 28th day of May, 1894, is hereby repealed.

JOHN BILLINGS,  
*Secretary.*

GEORGE ROACH,  
*Chairman.*

## BY-LAW

## BY-LAW.

*Passed 8th July, 1899.*

*Respecting Hamilton Cemetery.*

WHEREAS the Council of the City of Hamilton have appointed a Board of Managers to control and manage the Hamilton Cemetery, and have given power to the said Board to pass By-laws respecting the same, and it is expedient to provide rules and regulations for the management of the said Cemetery, and also to define the duties of the officers and employees of said Cemetery.

Preamble.

Therefore the Board of Managers of the Hamilton Cemetery enact as follows :

## OFFICERS AND THEIR DUTIES.

1. There shall be a Superintendent, and an Assistant Superintendent who shall also be Secretary.

## DUTIES OF SUPERINTENDENT.

Duties of Superintendent.

2. The Superintendent shall make all sales of lots and graves in the Cemetery and conduct all funerals and shall receive all moneys for the sale of lots and graves, and for all interments, and shall pay over to the City Treasurer, at least once in each week, all moneys received for ground belonging to the City Corporation, and for interments, and to the proper officer of Christ Church and Church of the Ascension respectively, all moneys received for ground sold belonging to these Churches, and shall perform such other services as the Board of Managers shall direct.

To make sales of lots and graves and conduct funerals.

To pay over to City Treasurer weekly.

To pay over to Christ Church and the Church of the Ascension monies received for sale of lots belonging to them.

3. The Superintendent shall make a report at the expiration of each week of all interments, disinterments and removals, and all sales of lots and graves, and the moneys received therefor, and also for all other moneys received by him, and shall keep in suitable books provided by the Board of Managers for that purpose, records of all sales, transfers, interments and removals, and moneys received.

To report weekly to Board of Managers.

## DUTIES OF ASSISTANT SUPERINTENDENT.

Duties of assistant Superintendent.

4. The Assistant Superintendent shall have the general care and custody of the Cemetery, the making and filling of graves, and shall have authority and control over all workmen employed in the Cemetery, and it shall be his duty to keep in good order all the walks and drives in the

To have general care of Cemetery.

To have control of all workmen.

**BY-LAW.**

To keep walks and drives and grounds in good order.

Cemetery, and all the grounds in the Cemetery not belonging to private owners, and to cut down all long grass and weeds in any part of the Cemetery so as to give the grounds a neat and uniform appearance, and also to enforce observance by all persons of these rules and regulations.

To collect all money for care of lots.

To render an account monthly to Board of Managers.

To keep books of record.

5. The Assistant Superintendent shall collect all moneys for the care of lots and graves and shall keep a correct account of all moneys received and paid out by him and render such account at the end of each month to the Board of Managers; he shall also keep such books of record and perform such other duties appropriate to his office as he may from time to time be directed by the Board of Managers.

To employ and discharge all workmen.

To see that employees faithfully perform their duties.

6. The Assistant Superintendent shall employ and discharge all workmen in the Cemetery subject to the control of the Board of Managers, and it shall be his duty to see that all persons faithfully perform their services, and that all orders and directions of the Board of Managers are duly carried out and to report to the Board of Managers any dereliction of duty on the part of any employees of the Cemetery under the control of the Board.

Money received for work done to be paid to City Treasurer.

7. The charges which may be made for any work done in the Cemetery shall be those only which are set forth in the schedules contained in these rules and regulations, and all moneys received shall be paid over by the Superintendent and Assistant Superintendent in their respective departments to the City Treasurer and credited to the Board.

To keep record of all orders for work to be done and price to be paid.

Agreements to be in duplicate.

8. The Assistant Superintendent shall keep in suitable books, to be provided by the Board of Managers for that purpose, all orders received for work to be done or materials to be furnished for proprietors of burial lots, together with the price agreed upon therefor, and every agreement relating thereto shall be signed in duplicate by the Assistant Superintendent and the other party thereto, and one of such agreements shall be retained by the Assistant Superintendent.

General duties.

9. The Assistant Superintendent shall perform such other duties as are specified in these rules and regulations and such additional services as may be required of him from time to time, and shall, in the absence or illness of the Superintendent, perform his duties.

**SALARIES.**

Salaries.

10. The salary of the Superintendent shall be \$600 per annum, with use of house at Cemetery, and Alexander Craig is hereby appointed Superintendent.



**11.** The salary of the Assistant Superintendent shall be \$720 per annum, and W. R. Pray is hereby appointed Assistant Superintendent.

**BY-LAW.**

**GENERAL RULES.**

General Rules.

The main object of the appointment of the Board of Managers being the improvement and embellishment of the Cemetery it is with the utmost confidence that they appeal to the citizens to aid them in carrying out the following rules and regulations which must be observed :

**1.** A map of the Cemetery shall at all times be kept in the office of the Superintendent who shall at all times be in his office or on the grounds to give information to persons wishing to buy a burial lot or single grave.

Map of Cemetery  
to be kept by Supt.

**2.** The size of the burial lot shall be in accordance with the map in the office of the Superintendent and as to any portion of the Cemetery not yet laid out into lots the size shall be such as may from time to time be determined by the Board of Managers having charge of the Cemetery, but no burial lot shall contain less than forty-eight square feet.

Size of burial lots.

**3.** No burial lot or single grave shall be sold at a less distance than three feet from any carriage road or drive.

Lots or graves not  
to be sold at a less  
distance than  
three feet from  
road or drive.

**4.** The interment of all persons buried at the public expense shall be in such portions of the grounds as may be designated by the Board of Managers having charge of the Cemetery.

Interment of per-  
sons buried at  
public expense.

**5.** The Superintendent shall receive payment of the price of all burial lots sold and shall give a numbered receipt for such payment to the purchaser, who shall be entitled to a deed of conveyance from the Corporation or Church as the case may be, holding the title to such lots. Such deed of conveyance to contain a condition that the purchaser or his assigns shall be subject to these rules and regulations and any rules and regulations which may hereafter be made by the Board of Managers, such further rules and regulations to be subject to the approval of the Church executing such deed where the deed is not made by the City Corporation.

Persons buying  
lots entitled to  
deed.

Deed to be subject  
to rules and regu-  
lations of Board.

**6.** No lot shall be used for any other purpose than the burial of human bodies and no trees shall be planted, cut down or destroyed without the consent of the Assistant Superintendent.

Lots to be used for  
burial purposes  
only.

Trees not to be  
planted or cut  
down without  
permission.

**7.** Proprietors shall not allow interments to be made in their lots for a remuneration.

Proprietors not to  
allow interments  
in their lots for  
remuneration.

**BY-LAW.**

Erection of Stones  
Monuments and  
adornment of lots.

Power of Asst.  
Supt. to remove  
trees

Right of Board to  
remove any mon-  
ument, structure  
or any inscription  
deemed by them  
improper.

Owners to observe  
rules and regula-  
tions of Board.

Boundary  
markers.

Corner posts.

Fences prohibited.

Foundations for  
monuments.

Veneered marble  
prohibited.

Wooden or iron  
structures  
prohibited.

Vault,  
regulations.

Walls of vaults.

8. The proprietors of lots, subject to the approval of the Assistant Superintendent shall have the right to erect proper stones or monuments thereon and cultivate trees, shrubs and plants to adorn their lots, but if any trees or shrubs shall by means of their roots, branches or otherwise become detrimental to the adjoining lots or avenues, or dangerous or inconvenient to passers by, it shall be the duty of the Assistant Superintendent, and he shall have the right to enter upon any lot and remove such trees or shrubs or any part thereof which may be detrimental, dangerous or inconvenient.

9. If any monument or any structure whatever or any inscription be placed in or upon any lot which shall be determined by the Board of Managers to be offensive or improper, the Board of Managers or their agents shall have the right, and it shall be their duty to enter upon the lot and remove the said offensive or improper object or objects.

10. The owners must observe all the rules and regulations passed by the Board of Managers from time to time for keeping their lot or lots in order.

11. The boundary of the lots if marked on the ground shall be distinctly defined by posts of limestone, granite or marble placed by the owner in the corners thereof. Such posts shall be level with the surface of the ground, and no fence will be allowed to be erected around any burial lot or at either end or side thereof.

12. No monument shall be erected upon any burial lot unless the foundation upon which it is placed extends not less than six feet below the surface of the ground, and is constructed of sound rubble stone or of good cement concrete, nor unless the stone or marble is free from visible defects, as regards its quality of endurance, nor shall any veneered marble monuments be erected, and no tablet or monument, or other structure composed in whole or in part of wood or iron shall be placed upon any lot, but all headstones shall be made of limestone, granite, marble or other durable material.

13. No vault shall be erected wholly or in part above ground without permission of the Board of Managers, and such must be furnished with shelves having divisions allowing interments to be made separately, and permanently sealed, so as to prevent the escape of unpleasant effluvia. Such portions as are above ground must be faced with cut quarry stone, granite or marble.

14. The walls of vaults shall be confined within the limits of the premises, and shall be at least 16 inches, if of brick, and 24 inches if of stone, in thickness; the inside crown of the arch shall be at least four feet below the sur-

## BY-LAW.

face of the ground and not less than one foot in thickness, if of brick, and 18 inches if of stone; and the entrance to the same shall be covered with a stone or iron plate, and these covered with earth, so that the said stone (or iron plate) and earth shall be at least three feet in depth, and on a level with the surrounding ground. And where the vault is excavated vertically in the side of a hill, there shall be double iron doors with at least a space of 18 inches between the outer and inner doors. The entrance to be indicated by a suitable stone sunk in the ground.

Iron doors of vaults.

15. All persons employed in the construction of burial vaults or in putting up monuments, tombstones or other structures, or in planting posts, or making improvements, or in doing any work on burial lots, shall be subject to the direction and control of the Assistant Superintendent of the Cemetery, and in case of refusal to obey such directions the Assistant Superintendent may remove such person or persons from the grounds.

All persons engaged in any work on burial lots, subject to control of Asst. Supt.

16. Any workman employed by the owner of any burial lot who shall do any damage to any lot, tombstone, monument or other structure or shall otherwise do any injury in the Cemetery, shall be personally responsible for such damage or injury in addition to any liability therefor on the part of his employer.

Workmen responsible for any damage done.

17. All implements and materials used in the performance of any work shall be placed where the Assistant Superintendent may direct, and all rubbish and surplus earth shall be removed in such manner and at such time as the Assistant Superintendent may order.

Implements where to be placed.

Rubbish to be removed.

18. No one shall be permitted to do any work upon any burial lot unless authorized to do so by the Assistant Superintendent or by the proprietor of such lot.

No person permitted to do any work on lot unless authorized by Asst. Supt. or Proprietor.

19. If any vault, monument or headstone upon any lot shall become displaced through the action of the frost or other cause, the Assistant Superintendent shall notify the owner of the lot, and if he shall neglect to cause the necessary repairs to be made within a reasonable time they shall be done under the direction of the Assistant Superintendent, and the cost thereof charged to the owner of the lot, who shall be liable therefor to the Board of Managers.

Repairs to Vaults, Monuments, or Headstones, may be done by Asst. Supt. in default of owners.

20. The Assistant Superintendent shall from time to time and at any time report to the Board of Managers any lot or lots upon which the stones, monuments or erections are out of repair, and shall notify the owners of such lots so reported are so out of repair, and that the same must be put in proper repair to the satisfaction of the Assistant

Asst. Supt. to report to Board Stones, Monuments or erections out of repair.

**BY-LAW.**

If owner neglects to repair, for three months after notice, Asst. Supt. may remove.

Superintendent, and in case any lot owners shall, after notice by the Assistant Superintendent, refuse or neglect for the space of three months after such notice to put any such stones, monuments or erections in proper repair, then the Assistant Superintendent shall remove the same.

Notices, how to be served.

**21.** All notices required by any by-law, rule or regulation to be given to any lot owners may be given personally to the owners of such lots, or may be mailed to the last known post office address of such owner or his legal personal representatives, and proof of such notice having been so mailed as aforesaid shall be taken as sufficient proof of such notice having been given.

Gardeners and others employed by owners, to remove rubbish.

**22.** Gardeners or others employed by lot owners to plant flowers, etc., must remove all rubbish to such places of deposit as are provided for the purpose and carry out their work under the direction of the Assistant Superintendent.

Asst Supt. to direct placing of materials.

**23.** The Assistant Superintendent will in all cases designate the places where the materials to be used in erecting monuments or vaults are to be placed during the course of erection or excavation.

Implements or materials left on lots to be removed without delay.

**24.** Implements or materials used in the performance of any work in the Cemetery which may be left in any lot or adjacent ground must be removed by the owner or owners thereof without delay, otherwise the obstruction will be removed by the Assistant Superintendent and the expense charged to the said owner or owners.

Planks to be laid on lots and paths over which heavy materials are to be moved.

**25.** All workmen are required to lay planks on the lots and paths over which heavy materials are to be moved in order to protect them from injury.

Foundations.

Scale of charges for.

**26.** The foundations for monuments will be built of flat rubble stone, by the Board of Managers, at the expense of the lot owners, and will be charged for at the following rates :

Foundations containing 20 cubic feet and under, 15 cents per foot.

Foundations containing over 20 and up to 50 cubic feet, 12½ cents per foot.

Foundations containing over 50 and up to 80 cubic feet, 10 cents per foot.

All over 80 feet, 8 cents per foot.

Foundations, depth of. Cost if cement is used.

All foundations must be built six feet deep, level on top, and the last six inches laid in cement. If cement is



used all through ten per cent will be added to the above prices. All sub-bases must be of uniform thickness throughout.

**BY-LAW.**

**27.** All foundations for vaults built above ground, where no architect is employed, shall be constructed by the Board of Managers at the expense of the owner, and where an architect is employed he shall have the superintendence of the whole structure.

Foundations for vaults.

**28.** Lettered boards designating graves shall not be allowed.

Lettered boards prohibited.

**29.** No slabs will be allowed, unless placed in a horizontal position, and no head or foot-stone will be permitted exceeding two feet in height above ground, unless placed in a cut-stone base with a stone foundation 5 feet deep.

Slabs to be placed in horizontal position only.

**30.** No stone shall be erected less than three inches in thickness, and stones of three inches shall not exceed two feet six inches in height, including the base. Stones of four inches in thickness shall not exceed 2 feet 9 inches in height, including the base. Stones of five inches in thickness shall not exceed three feet in height, including the base; stones of six inches in thickness shall not exceed three feet six inches in height, including the base.

Headstones, height of. Specifications of stones to be erected.

**31.** All stones with rough butts shall be set at least two feet below the surface of the ground, and the stones shall not be less than four inches in thickness nor more than two feet in height above the ground.

Size of stones.

**32.** No steps to lots or vaults shall be built without special permission first obtained from the Assistant Superintendent, in which case the steps shall be of cut stone with side pieces and placed on a good stone foundation.

Steps not to be built without permission.

**33.** Heavy loads will not be allowed to enter the Cemetery when the roads are in an unfit condition.

Heavy loads not allowed in cemetery when roads unfit.

**34.** Persons who make improvements upon their lots after having been graded, thereby disarranging the previous improvements made by the Board of Managers, shall be charged the cost of putting the same in order again.

Altering grade of lots.

**35.** All persons are forbid cutting walks except by permission of the Assistant Superintendent.

Cutting walks prohibited.

**36.** The Board of Managers reserve the right to prevent the erection of any structure which might in their judgement interfere with the general effect or obstruct any view.

Right reserved by Board to prevent erection of any structure.

**BY-LAW.**

## Transfers.

Conditions to be  
contained in  
conveyance.

**37.** Every conveyance to a lot in the Cemetery shall contain a condition that the grantee or his assigns shall not use such lot for any other purpose than that of a burial ground, and that he or his assigns shall not transfer or convey any such lot without first giving notice in writing to the Superintendent of his intention to make such transfer, which notice shall contain full particulars of the name, address and occupation of the person or persons to whom such transfer is to be made, and no transfer will be recognized or allowed until registered in the Superintendent's office, for which a fee of one dollar shall be paid.

Transfer of lot to  
be left in office of  
Supt.

**38.** Every transfer of a burial lot by a purchaser or his assigns shall be left in the office of the Superintendent, who shall register the same and forthwith thereafter shall forward it to the City Treasurer, where the City Corporation has originally conveyed the lot, or to the proper Churchwarden where the lot has originally been conveyed by either of the Churches, and where the transfer is executed in duplicate the Superintendent shall endorse on one part thereof the date of registration by him, and hand same back to the transferee, and no such transfer shall be made while there are any arrears on the said lot.

Transfer by heir  
or representatives  
of deceased owner.

**39.** Where a transfer of a burial lot is made by the heirs of or a representative of a deceased owner, proof by declaration or otherwise that such heirs or representatives have a right to convey shall be made to the satisfaction of the Board of Managers having charge of the Cemetery before such transfer shall be registered.

## Interments.

## INTERMENTS.

Particulars to be  
registered with  
superintendent.

**40.** In each case of burial a written statement giving the name, place of nativity, late residence, the street (if person is from the City), date of birth, age, date of decease, disease or cause of death of person to be interred, place of decease, name of parents (if not an adult), whether single, married or widowed, occupation, time of interment, in what lot interred, and name of Undertaker, Medical Attendant and Officiating Minister, must be furnished to the Superintendent that an accurate register thereof may be made; the size of top of coffin or case must be mentioned and the location of the grave to be opened should be accurately designated by a diagram drawn on the back of the statement.

Persons not in  
employ of Board  
not to open vault  
or grave.

**41.** No grave or vault shall be opened for interment or removal by any person not in the employ of the Board of Managers.

**42.** No disinterment will be allowed in any lot or grave without an order from the owner thereof.

**BY-LAW.**

Disinterment to have consent of owner.

**43.** Every order of interment must be signed by the owner or his or her agent.

Orders for interment to be signed by owner or agent.

**44.** When more than one interment is made in the same grave, the last shall have at least 4 feet of earth over the coffin; only two interments permitted in the same grave except in the common ground.

More than one interment in grave.

**45.** No burial shall be allowed in any lot against which there shall appear charges due and unpaid.

No burial to be allowed in lot against which charges are unpaid.

**46.** Persons ordering graves will be held responsible for charges incurred.

Persons ordering graves responsible for charges incurred.

**47.** All charges to be paid to the Superintendent before interment is made, at the following rates :

Charges to be paid to Supt. before interment.

For ground belonging the city sold for burial lots, except in blocks, O, P, Q and R, 20c. per square foot.

Digging grave for adult, 6 feet in depth.....	\$2 50
Digging grave for child under 10 years and over 5..	1 50
Digging grave for child under 5 years.....	1 00
Digging single grave for adult, including land.....	6 00
Digging single grave for child under 10 years and over 5, including land .....	3 50
Digging single grave for child under 5 years, including land .....	2 50
For every foot in depth beyond 6 feet, in every case.	50
Opening vault under ground.....	1 50
Opening tomb inside hill and above ground.....	2 00
For use of public vault for adult, per day .....	40
For use of public vault for child under 10 years.....	30

Scale of charges.

For removal of body from one lot or grave to another :

Adult, including opening and filling both graves....	\$5 00
Child under 10 years and over 5.....	3 00
Child under 5 years.....	2 00

Special rates, as agreed on, for vaults on side hills and selected plots.

A charge of 50 cents extra for opening a child's grave, and a charge of \$1 extra for opening an adult's grave will be made from the 15th of December, to the 8th of April inclusive.

Extra charges during certain months.

**BY-LAW.**

Public Plots.

**PUBLIC PLOTS.**Size of slabs  
allowed.

**48.** No monuments will be allowed in these plots except slabs laid upon the graves or thick headstones not exceeding two feet in height above the ground. Neither slabs nor headstones shall be more than two feet wide for adults, and eighteen inches for children, and must have foundations.

Persons using  
grave for more  
than one inter-  
ment to pay usual  
cost for each.Where lots after-  
ward purchased  
refund to be made  
for vacated grave.

**49.** The purchaser of a grave in any public plot wishing to use the same for more than one burial, shall pay the usual cost for each and every interment. Where lots are afterwards purchased, the cost of the grave vacated will be allowed after deducting expenses for the disinterment of the remains and restoration of the ground.

Care and improve-  
ment of lots.**CARE AND IMPROVEMENT OF LOTS.**Lots to be kept in  
order by owner.

**50.** All lots to be properly sodded, the grass properly mown, and the trees and shrubbery kept trimmed by the lot owner, except such lots as are under the perpetual care system, so that the Cemetery may be kept in uniformly good order, and so as to protect the grounds from injury by the introduction of irresponsible workmen, such work is to be done by the Assistant Superintendent at the expense of lot owners, and for such work lot owners are required to pay the following prices :

Scale of  
charges for sod-  
ding grave.Charges for sod-  
ding lot.Charges for cut-  
ting grass.

Sodding graves.....\$0 50  
Sodding a lot 8 x 12 ..... 2 00  
Cutting grass on single lot 8 x 12 and keeping clean  
for season ..... 1 00

Scale of  
charges for top  
dressing.Cutting and  
watering grass.

**51.** Lot owners may arrange with the Assistant Superintendent to have the following work done by him, or under his direction at the following scale of prices, which are to be paid when the order for work is given :

Top dressing lot 8 x 12.....\$1 00  
Cutting grass and watering single lot 8 x 12, as re-  
quired, per season..... 2 00  
For half lot 6 x 8..... 1 00  
For single grave..... 50  
For five lots or over, special rates as agreed upon.

Yearly charge of  
25c. for rough  
cleaning.

**52.** All lot owners who do not arrange to have the care of their lots as above will be charged 25 cents a year for ordinary rough cleaning of a lot 8 x 12 and other lots will be charged for in the same proportion.

Mounds not to ex-  
ceed 4 inches in  
height.

**53.** No grave finished in a mound shall hereafter exceed the height of 4 inches above the surrounding sod and must be graded down to a level on all sides so that there shall be no vertical or angular sides.



54. Lots that are hereafter built above the level of the surrounding land must have no vertical side and must be sloped at an angle of 45 degrees and rounded off at the edges.

**BY-LAW.**

Sides of lots to be sloped.

**PERPETUAL CARE FUND.**

In the new portions of the Cemetery, being sections O, P, Q and R, the price of all lots hereafter sold shall be forty cents per square foot, and of space for and digging each adult single grave \$12.00; space for and digging each grave for child over 5 and under 10 years of age, \$7.00; and space for and digging each grave for child under 5 years, \$5.00. Two-thirds of the purchase money in each case shall be put aside and placed in a separate account to be called the "Cemetery Perpetual Care Fund." All amounts received on account thereof shall be deposited by the City Treasurer at interest on the first day of each month in some chartered bank of Canada, and as soon as the funds on deposit in such account shall amount to \$500, the same shall be invested in such securities as are permitted by Sec. 420 of the Municipal Act of 1897, and the interest to be derived therefrom shall be used and applied in taking care of and improving sections O, P, Q and R; but there shall be no lien or claim upon such funds by, or in favor of the purchasers of Cemetery lots or graves, nor shall the Board of Managers be under any obligation to expend in taking care of and improving said sections of the Cemetery any greater amount than the interest to be derived from said "Perpetual Care Fund."

Perpetual Care Fund.

No posts shall be placed in blocks O, P, Q. or R, except stone posts which shall be level with the ground, and no lot shall be raised, or mounds made in any of said blocks,

**PERPETUAL CARE OF LOTS.**

Perpetual care of lots.

The Board of Managers will receive any lots sold prior to the adoption of this plan to its benefits on receipt of such sum as the Board of Managers may from time to time determine.

Owners of lots wishing to have the same kept in order in perpetuity and wishing to secure this service may do so by paying in advance a sum equal to 20 cents per superficial square foot.

Sum to be paid.

Should any lot owner desire any extra care of his or her lot over and above the services guaranteed under the perpetual care of lots contract, such as planting, cultivating or watering trees, shrubs or flowers, he can secure these by the payment of such sum annually as may be agreed upon.

Extra services to be secured by payment of such sum annually as may be agreed upon.

**BY-LAW.**

Fund how to be invested.

All moneys received for the purpose of keeping lots in repair shall collectively constitute a separate fund called the "Perpetual Care of Lots Fund" and shall be kept invested under the direction of the Board of Managers on such security as may be approved.

Charge for extra work of men 20c. per hour.

For men in the employ of the Board of Managers the charge for extra work will be at the rate of 20 cents per hour.

Rules for visitors.

**RULES CONCERNING VISITORS.**

Children under 12 years to be in charge of an adult.

Children under the age of twelve years shall not be admitted to the grounds except when in the charge of an adult.

Horses required to walk.

No horses will be allowed to pass through the grounds at a rate faster than a walk.

Driving on paths less than 10 ft. wide prohibited.

Driving on the paths less than 10 feet wide will not be allowed.

Bicycles and tricycles allowed to be ridden only on main driveways.

Neither bicycles nor tricycles shall be allowed to be ridden on the grounds, except on the main driveways.

Drivers to remain in seats or near horses.

Drivers of carriages at funerals are required to remain in their seats, or by their horses during the continuance of funeral ceremonies.

No vehicle or horse to be driven over any plot.

No vehicle or horse shall on any pretence whatever, be driven upon or over any plot.

Proprietors of carriages and horses responsible for damage done by them.

Proprietors of carriages and horses will be held responsible for any damage done by them or their drivers in violation of the rules of the Cemetery,

Horses not to be left untied.

No horse shall be left by the driver unfastened or where he may do any injury.

Picnics prohibited

No picnic party will be admitted to the grounds.

Smoking prohibited.

No smoking will be allowed within the grounds.

Dogs not to be admitted.

Dogs will not be admitted.

Picking flowers prohibited.

All persons are prohibited from picking any flower, wild or cultivated, or breaking any shrub or tree.

Breaking or removing rocks from rockworks prohibited.

All persons are prohibited breaking, removing, or displacing rocks in the several rock-works.

Defacing or injuring any monument, fence or other structure prohibited.

All persons are prohibited from writing upon, defacing, or injuring any monument, fence or other structure, or any tree in or belonging to the Cemetery.

Any person disturbing the quiet or good order of the place by noise or other improper conduct, or who shall violate any of the foregoing rules will be compelled instantly to leave the grounds.

**BY-LAW.**

Disorderly conduct.

The gates are to be opened for entrance at 6 a. m. and closed in the winter at 7 p. m., and in summer at 8 p. m., when all visitors or workmen must leave the grounds, unless specially allowed to remain by the Assistant Superintendent.

Gates when to be opened and closed.

No money shall be paid to any person in the employ of the Board of Managers in reward for any personal services or attention.

Persons in employ of Board not to be paid for personal service.

All by-laws or parts of by-laws passed by the Council of the City of Hamilton inconsistent herewith are hereby repealed.

By-laws of City Council inconsistent herewith repealed.

JOS. W. BOARD,

*Chairman.*

# Appendix—Part 6.

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## **Certain Acts of the Parliament of Canada and of the Legislature affecting the City of Hamilton or the interests of the Corporation.**

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- (a) Statutes relating to the Incorporation and to the Boundaries of the City.
- (b) Proclamation of the Lieutenant-Governor annexing certain portions of the Township of Barton to the City.
- (c) An Act to authorize the Surveyor of Highways in and for the County of Wentworth to convey to Allen McNab, Esq. certain allowances of road in the Township of Barton in the Gore District.
- (d) An Act to convey a part of the Concession Line between the third and fourth Concessions in the Township of Barton in the Gore District to Robert Jarvis Hamilton.
- (e) An Act to vest in the Corporation of the City of Hamilton, the "Gore" of King Street for public purposes.
- (f) An Act to enable the Corporation of the City of Hamilton to close certain streets in the said City, and to vest the same in the Corporation of the City of Hamilton.
- (g) An Act for the construction of Water-Works in the City of Hamilton.
- (h) An Act to amend the Act intituled an Act for the construction of Water-Works in the City of Hamilton.
- (i) An Act to amend an Act intituled an Act for the construction of Water-Works in the City of Hamilton.
- (j) An Act to vest in the Corporation of the City of Hamilton the Water-Works of that City.



- (k) An Act to amend the Acts relating to the Water-Works of the City of Hamilton.
- (l) An Act to provide for the erection of a Court House in the City of Hamilton.
- (m) An Act respecting the Goal of the County of Wentworth.
- (n) An Act relating to the City Hospital of Hamilton.
- (o) An Act respecting the Hamilton Gas-Light Company.
- (p) An Act respecting the Debenture Debt of the City of Hamilton.
- (q) An Act to confirm By-Law No. 755 of the City of Hamilton.
- (r) An Act respecting the Toronto, Hamilton and Buffalo Railway Company.
- (s) An Act to amend the Act respecting the Highway and Bridges over the Desjardines Canal.
- (t) An Act to confirm an agreement between the Hamilton, Grimsby and Beamsville Electric Railway Company and the City of Hamilton.
- (u) An Act respecting the Cataract Power Company of Hamilton, (Limited.)

STATUTES RELATING TO THE INCORPORATION AND BOUNDARIES OF THE CITY.

3 William 4, Chapter 16.—To establish a Market and Police in the Town of Hamilton.

2 Victoria, Chapter 45.—To establish a second Market.

9 Victoria, Chapter 73.—An Act to incorporate the City of Hamilton.

(The above were repealed by 12 Victoria, Chapter 80.)

12 Victoria, Chapter 81, Sec. 82.—An Act relating to Municipal Corporations in Upper Canada.

1. *Hamilton*.—The City and liberties thereof to consist of all that part of this Province situate within the County of Wentworth and lying within the following limits, that is to say :

Boundaries of City.

Commencing at the north-east corner of lot number eleven in the Township of Barton, on the waters of Burlington Bay ; thence following the line between lots numbers ten and eleven, in a southerly direction, to the rear of the third concession of the said Township of Barton ; thence along the said concession, westerly, to the intersection of the line between lots numbers twenty and twenty one of the said Township ; thence in a northerly direction, following the said line between the said lots numbers twenty and twenty-one until it reaches the Marsh at the head of Burlington Bay ; thence along the southerly and easterly margin of the said Marsh to the waters of Burlington Bay ; thence along the southerly margin of Burlington Bay, to the place of beginning, including the several road allowances along the said boundary, and the harbour in front of the said City.

The said City to consist of all that part of the tract of land above described, lying within the following limits, that is to say :

Commencing at the north-east corner of lot number twelve in the Township of Barton, on the waters of Burlington Bay ; thence following the line between lots numbers eleven and twelve, in a southerly direction, to the rear of the third concession of the said Township of Barton ; thence along the said concession, westerly, to the intersection of the line between lots numbers twenty and twenty-one of the said Township ; thence in a northerly direction, following the said line between the said lots numbers

twenty and twenty-one until it reaches the Marsh at the head of Burlington Bay ; thence along the southerly and easterly margin of the said Marsh, to the waters of Burlington Bay ; thence along the southerly margin of Burlington Bay to the place of beginning, including the several road allowances along the said boundary, and the harbour in front of the said City.

## PROCLAMATION.

[L. S.]

A. CAMPBELL.

CANADA.

PROVINCE OF ONTARIO.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

Proclamation annexing certain portions of township of Barton to city.

To all to whom these Presents shall come, or whom the same may concern—GREETING :

## PROCLAMATION.

O. MOWAT, } WHEREAS it has been made to appear  
*Attorney-General.* } to the Lieutenant-Governor of our Province of Ontario-in-Council that two-thirds of the members of the Municipal Council of the Corporation of the City of Hamilton, did, in Council, before the fifteenth day of July, 1891, and in pursuance of the Municipal Act, pass a resolution affirming the desirability of adding to the limits of the said City certain portions of the adjoining Township of Barton ;

Preamble.

And whereas the said Municipal Council has prayed that a proclamation be issued to give effect to the said resolution ;

And whereas our said Lieutenant-Governor-in-Council, upon certain terms and conditions, as to taxation, or otherwise, to which the said City Council has consented, considers it desirable to attach to the said City of Hamilton certain portions of the land mentioned in the above resolution,

Now know ye that having taken the premises into our royal consideration, we, by and with the advice of our

Executive Council of our said Province of Ontario, and in the exercise of the power in us vested in this behalf by the said in part recited Act, or otherwise howsoever, do, by this our Royal Proclamation, hereby add to the said City of Hamilton those certain portions of the said Township of Barton hereinafter mentioned, that is to say :

Portions of township annexed.

All and singular that certain parcel or tract of land in the said Township of Barton lying to the west of the road allowance between lots numbers eight and nine, and extending from the brow of the mountain to the waters of Burlington Bay, and westward to the present city limits, and including the said road allowance between said lots numbers eight and nine and also those parts of lots thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and of the road allowance between lots numbers eighteen and nineteen in the fourth concession of the said Township of Barton lying between the brow of the mountain and the present city limits,

Taxation of annexed territory

And we direct that the said annexation of territory to the said City of Hamilton shall, in addition to any others imposed by Statute, where not inconsistent herewith, be and the same is hereby made upon the express terms and conditions as to taxation and otherwise hereinafter mentioned, that is to say :

(a) That no property in said portions of the Township of Barton so added shall be liable for any portion of the debenture debt of the City of Hamilton now existing, except the following, and any debentures issued since the first day of January, 1890, or to be hereafter issued.

Debenture debt.

Waterworks debentures, 1864.....	\$ 759,184 69
Waterworks debentures, 1880, issued under By-law 182.....	165,000 00
Three fifths of balance remaining to be levied under By-law 422, passed 11th June, 1888, for the issuing of \$110,000 of debentures for permanent improvements, including \$16,200 for east end sewer and \$48,300 for waterworks, such balance being about \$100,000 .....	60,000 00
City Hall debentures under By-law 369.....	93,799 00
Public school debentures under By-laws 420 and 472.....	98,406 00
Public library debentures under By-law 473..	50,000 00
	<hr/>
	\$1,226,389 69

(b) That the amounts to be levied annually for the several classes of debentures hereinbefore mentioned shall, subject as hereinafter mentioned, be levied upon the pro-



perty assessed in said added portions of the Township of Barton pro rata with the property assessed in the other portions of the City of Hamilton.

(c) That for the period of ten years after this our proclamation shall have taken effect, the taxes to be levied upon the properties assessed in said added portions of the said Township of Barton shall be based upon the assessment of such properties for the year 1891, or so much only of the assessment of the said properties from year to year as shall be equal to the assessment thereof for the year 1891, but that where any real estate shall be built upon or sub-divided into city lots after the date of this, our said proclamation, the value of the buildings or the additional value, if any, arising from such sub-division into city lots shall for the purpose of taxation be added to the assessed value of such real estate for the year 1891, and that where any divisions or sub-divisions of any property assessed in 1891 as one parcel or property shall take place during the said ten years, the taxation of the various parts or parcels into which the same may be divided or sub-divided shall be upon the proportionate part of the assessment upon which the taxes to be levied would have been based for the whole of such property if such division or sub-division had not taken place, subject, nevertheless, to any addition to be made to the value as hereinbefore provided. *But nothing herein contained shall be held to imply that mere sub-division into city lots shall give additional value to any real estate.*

Taxes for ten years from date of proclamation to be based on assessment of 1891.

Value of improvements to be added to assessment of 1891.

Subdivision into city lots not to give additional value.

(d) That in the portions of the said Township of Barton so added, the opening, altering, macadamizing, grading and paving of the streets and alleys, the work of curbing and sodding and the construction of sidewalks and sewers, shall be done on the local improvement plan, and be paid for by a frontage tax, except where such works consist merely of keeping the streets or sidewalks in a good and sufficient state of repair, and subject always to the liability of the City Corporation to contribute one-third of the cost of all common sewers having a sectional area of more than four feet, as provided for in the local improvement clauses of the Municipal Act, and to pay the cost of that part of every such work which is chargeable in respect of street intersections or opposite to real property exempt from local or special assessment, and also to pay the cost of all trunk sewers which the Council may deem it expedient to construct, the properties fronting on or draining into any such sewer to be liable to the same rental as in other portions of the City.

Works to be done as local improvements.

City to repair streets and sidewalks.

City may contribute to cost of certain sewers.

Trunk Sewers.

(e) That the City of Hamilton shall assume the payment of the balance of the debt, which may, when this Proclamation takes effect, be owing upon the school houses in school sections numbers seven and eight of the said Township of Barton.

City to assume debt on school houses.

Water rates to be charged.

(f) That the water rates to be charged under the Statutes and By-laws relating to the Hamilton Water Works in respect of the portions of the Township of Barton so added shall be the same as the rates charged in other portions of the City of Hamilton, and shall be imposed, levied and collected in the same manner, and extensions of the water service shall be made from time to time as required in the same manner and upon the same terms as they are made in other portions of the City, it being intended that the said portions so added shall be treated in the same manner with regard to such water rates and water service as if they had always formed part of the City of Hamilton.

Division of City into wards.

And we divide the said City of Hamilton as hereby constituted into seven wards, to be called and known as ward number one, ward number two, ward number three, ward number four, ward number five, ward number six and ward number seven, the said wards to be constituted and bounded as follows, that is to say :

Ward 1.

Ward Number One.—To comprise all that part of the said City bounded on the north by King Street and the continuation thereof to the city limits, on the west by Ferguson Avenue, and on the south and east by the city limits.

Ward 2.

Ward Number Two.—To comprise all that part of the said City bounded on the north by King Street, on the west by Bay Street and the continuation thereof to the mountain brow, on the east by Ferguson Avenue, and on the south by the city limits.

Ward 3.

Ward Number Three.—To comprise all that part of the said City bounded on the north by King Street as continued to the Dundas road, on the east by Bay Street and the continuation thereof to the mountain brow, and on the south and west by the city limits.

Ward 4.

Ward Number Four.—To comprise all that part of the said City bounded on the south by King Street as continued to the Dundas road, on the east by Bay Street, and on the north and west by the city limits.

Ward 5.

Ward Number Five.—To comprise all that part of the said City bounded on the south by King Street, on the west by Bay Street, on the east by Hughson Street, and on the north by the city limits.

Ward 6.

Ward Number Six.—To comprise all that part of the said City bounded on the south by King Street, on the west by Hughson Street, on the east by Wellington Street, and on the north by the city limits.

Ward Number Seven.—To comprise all that part of the said City bounded on the south by King Street and the continuation thereof to the city limits, on the west by Wellington Street, and on the north and east by the city limits.

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Ward 7.

And we further direct that the said additions of territory to the said City of Hamilton, and the said division of the City including such added territory into seven wards, shall take effect in accordance with the provisions of the Municipal Act.

Annexation of territory and division into wards to take effect in accordance with provisions of Municipal Act.

Of all which premises, all our loving subjects, and all others whom it doth or may in any wise concern, are hereby required to take notice and govern themselves accordingly.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of Ontario to be hereunto affixed: Witness, The Honorable SIR ALEXANDER CAMPBELL, Knight Commander of Our Most Distinguished Order of St. Michael and St. George, Member of our Privy Council for Canada, &c., &c., Lieutenant-Governor of our Province of Ontario, at our Government House, in our City of Toronto, in our said Province, this second day of July, in the year of our Lord one thousand eight hundred and ninety-one, and in the fifty-fifth year of our reign.

Date of Proclamation.

By Command,

J. M. GIBSON.

*Secretary.*

## 1 VICTORIA—CHAPTER 41.

*An Act to authorize the Surveyor of Highways in and for the County of Wentworth, to convey to Allan N. MacNab, Esquire, certain allowances for Road in the Township of Barton, in the District of Gore, passed 6th March, 1838.*

WHEREAS by a petition presented at a General Court of Quarter Sessions of the Peace in and for the District of Gore, held upon the nineteenth day of October, in the year of our Lord one thousand eight hundred and thirty-six, signed by William Applegarth, John Applegarth, William J. Kerr, Philo D. Bates. Andrew Gage, A. M. Chisholm, John Chisholm, George Middleton, Henry

Preamble.

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Beasley, Samuel Mills, James Mills, George H. Ainsley, Thomas Pinnett, John Morris and C. Reynolds, Freeholders in the County of Wentworth, in the said District, and addressed to John T. Law, Esquire, Surveyor of Highways for the said County of Wentworth. in the said District, it did appear that the road leading from the Town of Hamilton, in the said District of Gore, to the Battery, opposite to the residence of Allan Napier MacNab, commencing at the line of lots numbers seventeen and eighteen, in the second Concession of the Township of Barton, in the County and District aforesaid, was not of sufficient width, being only thirty feet wide, and requesting that the said Surveyor of Highways would report thereupon to the Court of Quarter Sessions aforesaid: *And whereas*, the said Surveyor did, in compliance with the said petition, report to the said Court of Quarter Sessions that the said road was insufficient, whereupon the said Court ordered that the said road should be widened to increase the facility of travelling thereupon: *And whereas*, in compliance with the said order of the said Court, so much of the lands of the said Allan Napier MacNab as were sufficient to complete the full and necessary width thereof was taken: *And whereas*, the original allowances for road being the first, otherwise named second concession road of Barton aforesaid, and the road allowance between Lots numbers eighteen and nineteen, in the said concession, and part of the road allowance between Lots numbers eighteen and nineteen, in the second, otherwise named third concession of Barton aforesaid, have become disused, by reason of the improvement of the first-mentioned road as aforesaid: *And whereas*, it is fit and proper that the said disused roads should be conveyed to the said Allan Napier MacNab, he not having received any reimbursement for the lands so taken as aforesaid: *Be it therefore enacted*, by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of Her Majesty's reign, entitled, "An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province," and by the authority of the same, that it shall and may be lawful for the Surveyor of Highways in and for the County of Wentworth, in the District of Gore, and he is hereby authorized and required forthwith, to grant and convey unto the said Allan Napier MacNab, his heirs and assigns forever, all and so much of the road allowance, being the first, otherwise called the second concession road of Barton aforesaid, commencing as follows, that is to say: At the south-west angle of Lot number seventeen of the broken front on Burlington Bay, thence north seventy-two degrees west, eighty chains more or less, to the Gore of Ancaster,

Certain road  
allowance convey-  
ed to Allan Napier  
MacNab.



in the said District of Gore; also all and so much of the road allowance between Lots numbers eighteen and nineteen, in the said first, otherwise named second concession, and part of the road allowance between Lots number eighteen and nineteen, in the second, otherwise named third concession of the said Township of Barton, commencing as follows, that is to say: Where the north side of the present survey of the road over Burlington Heights, in the said District, intersects the said road allowance between Lots numbers eighteen and nineteen, in the said second, otherwise third concession of Barton aforesaid; thence north eighteen degrees east, twelve chains, more or less, to the waters of Burlington Bay; which said conveyance shall vest in the said Allan Napier MacNab, his heirs and assigns, all the right and title in the land of which the said allowances for road are composed, as fully and to all intents and purposes as if the same had been originally granted to the said Allan Napier MacNab, his heirs and assigns, by patent from the Crown.

*And be it further enacted by the authority aforesaid, That so soon as the said conveyance shall be made, the land hereinbefore mentioned, and ordered to be taken by the Court of General Quarter Sessions, as well as the road leading from the Dundas Road to Burlington Bay, between Lots numbers seventeen and eighteen, and the new road laid out on the lands of the said Allan Napier MacNab, from the Battery to the reservation on Burlington Heights, shall be deemed and taken to be public highways, as fully and effectually as if the same had been laid out as roads in the original survey of the Township of Barton.*

When public highway shall be opened.

## 9 VICTORIA—CHAPTER 48.

*An Act to convey a part of the Concession Line between the third and fourth Concessions of the Township of Barton, in the Gore District, to Robert Jarvis Hamilton, passed 23rd May, 1846.*

WHEREAS the Gore District Council, by their By-law number thirty-eight, took from Robert Jarvis Hamilton a line of road across part of Lots Numbers Thirteen and Fourteen, in the third Concession of the Township of Barton, descending the mountain to the Town of Hamilton, for the accommodation of the public, in consequence of the Concession Line between the third and fourth Concessions descending the mountain on ground so steep as to be impracticable and useless as a road allowance, and by such By-law the said Council granted to Robert Jarvis Hamilton,

Preamble.

## 9 V. Chap. 48

Part of concession  
line conveyed to  
Robert Jarvis  
Hamilton.

the said Concession Line in lieu of the road taken; And whereas by reason of the said Council not having power to make a grant of the public allowance for a road, the inhabitants of Hamilton and the Township of Barton have presented a Petition to Parliament with a plan of the road so taken, and the Concession Line granted, and a Report of the District Surveyor, by which it appears that the Concession Line so granted to the said Robert Jarvis Hamilton is altogether useless to the public, and that it is but just and reasonable that the said part of the Concession Line between the third and fourth Concessions should be granted to the said Robert Jarvis Hamilton, who is the owner of the land on each side thereof: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the following part of the Concession Line between the third and fourth Concessions of the Township of Barton, in the Gore District, that is to say: commencing at the north-west corner of Lot Number Fourteen in the fourth concession of Barton, thence south seventy-two degrees fifteen minutes east, twenty-four chains, to the intersection of Strongman's Road; with the allowance for road between the third and fourth Concessions, thence north seventeen degrees forty-five minutes east, one chain, thence north seventy-two degrees fifteen minutes west, twenty-four chains more or less, to the south-east corner of Lot Number Fifteen in the third Concession of Barton aforesaid, thence south seventeen degrees forty-five minutes west, one chain to the place of beginning—excluding the space occupied or required by the Port Dover Road—be and the same is hereby vested in the said Robert Jarvis Hamilton, his heirs and assigns for ever, in conformity to the said By-law and according to the prayer of the said petition.

## 16 VICTORIA—CHAPTER 33.

## 16 V. Chap. 33

*An Act to vest in the Corporation of the City of Hamilton, the "Gore" of King Street, for public purposes, passed 10th November, 1852.*

WHEREAS in the original survey of the City of Hamilton, a vacant space of triangular form and known as "the Gore" of King Street, was left for the purpose of a public square: And whereas the Mayor, Aldermen, and Commonalty of the City of Hamilton, have, by their petition, prayed that authority may be given them to erect public buildings on the said land, or otherwise enclose, ornament or dispose of the same as to them in their discretion may seem meet: And whereas it is expedient to grant the prayer of the said petition: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Province of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that it shall and may be lawful for the Mayor, Aldermen, and Commonalty of the City of Hamilton, and their successors, and they are hereby empowered to erect and build upon the said piece of land (which is bounded on the west by James Street and on the east by Catharine Street) such public building or buildings as they may think necessary, or to enclose the same for the purposes of a public square, and to ornament and improve it for such purposes, or otherwise to use and dispose of the said tract of land as the said Mayor, Aldermen, and Commonalty of the City of Hamilton may in their discretion think most advisable: Provided always, that nothing in this Act contained, shall in any manner affect or prejudice any claim which Robert J. Hamilton, eldest son and heir-at-law of the late George Hamilton, shall or may have in law or equity to the piece or parcel of land above described; and in the event of the said Robert J. Hamilton, advancing any claim for compensation in consequence of this Act or any thing to be done thereunder, the amount thereof shall be fixed and determined by arbitrators to be chosen, one by the said Corporation, another by the said Robert J. Hamilton, and a third to be named by them, the said arbitrators, before entering into the said reference, and their award or the award of any two of them shall be final; provided also, that nothing in this Act contained shall be construed as an admission of any claim or right in the said Robert J. Hamilton in the said tract of land.

Preamble.

Gore of King  
Street vested in  
City Corporation

Proviso.

## 35 V. Chap. 68

## 35 VICTORIA—CHAPTER 68.

## ONTARIO STATUTES.

*An Act to enable the Corporation of the City of Hamilton to close certain streets in the said City, and to vest the same in the Corporation of the City of Hamilton, passed 2nd March, 1872.*

Preamble.

WHEREAS the Corporation of the City of Hamilton have by their petition prayed that the street known as Walter Street, and so much of Sophia Street as lies between Head Street and the rear line produced of sub-division lot number twenty, on Galt Street, in the plan or survey made by the late Sir Allan Napier MacNab, upon part of lot number eighteen in the second concession of Barton, may be closed and the same vested in the Corporation, their successors and assigns; And whereas it is to the public benefit that such streets should be closed; And it is expedient to grant the prayer of the said petition:

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power given city to close Walter St. and part of Sophia St.

1. The said street known as Walter Street, and so much of Sophia Street as lies between Head Street and the rear line produced of sub-division lot number twenty, on Galt Street, are hereby declared to be closed, and the soil and freehold thereof for ever vested in the Corporation of the City of Hamilton, their successors and assigns.

Power given city to sell said land.

2. The Corporation of the City of Hamilton may sell and convey the said land or any part thereof in fee simple.

## 19 VICTORIA—CHAPTER 64.

*An Act for the Construction of Waterworks in the City of Hamilton, passed 19th June, 1856.*

Preamble.

WHEREAS the construction of Waterworks and a supply of water would conduce to the health and comfort of the inhabitants of the City of Hamilton: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:



1. The persons hereafter to be elected in the manner provided for in this Act, and their successors, shall constitute a Board, to be called and known as the Water Commissioners for the City of Hamilton.

19 V. Chap. 64

Board of Commissioners constituted.

2. It shall be the duty of the said Commissioners to examine, consider and decide upon all matters relative to supplying the said City of Hamilton with a sufficient quantity of pure and wholesome water for the use of its inhabitants, and the amount of money necessary to effect that object.

Duty of Commissioners.

3. The said Commissioners shall have power to employ engineers, surveyors and such other persons as in their opinion may be necessary to enable them to fulfil their duties under this Act.

Commissioners may employ Engineers.

4. It shall and may be lawful for the said Commissioners, their agents, servants and workmen, from time to time, and at such times hereafter as they shall see fit, and they are hereby authorized and empowered to enter into and upon the lands of any person or persons, bodies politic or corporate, in the City of Hamilton, or within twenty miles of the said city, and to survey, set out and ascertain such parts thereof as they may require for the purposes of the said Waterworks, and also to divert and appropriate any spring or stream of water thereon, as they shall judge suitable and proper, and to contract with the owners or occupiers of the said lands, and those having an interest or right in the said water for the purchase thereof, or of any part thereof, or of any privilege that may be required for the purposes of the said Commissioners; and in case of any disagreement between the said Commissioners and the owners or occupiers of such lands, or any persons having an interest in the said water or the natural flow thereof, or any such privilege as aforesaid, respecting the amount of purchase or value thereof, or as to the damages such appropriation shall cause to them or otherwise; or in case any such owner or occupier shall be an infant, married woman, or insane, or absent from this Province, or in case such lands or water privileges may be mortgaged or pledged to any person or persons, it shall and may be lawful for the Judge of the County Court of the County of Wentworth, on application being made to him, to nominate and appoint three indifferent persons as arbitrators; to award, determine, adjudge and order the respective sums of money which the said Commissioners shall pay to the respective persons entitled to receive the same, the award of the majority of whom shall be final; and the said arbitrators shall be and they are hereby required to attend at some convenient place, at or in the vicinity of the said city, to be appointed by the said Commissioners after eight days' notice given for that purpose by the said Commissioners, then and there to arbitrate and award, adjudge and determine such matters

Commissioners may enter upon and take lands, water courses &c.

Arbitration in case of disagreement as to value of property taken.

If the owner be an infant, married woman, &c.

Meeting and proceedings of arbitrators.

## 19 V. Chap. 64

Arbitrators to be sworn,

Proviso.

Award may be set aside for cause.

Sum awarded must be paid within certain time.

and things as shall be submitted to their consideration by the parties interested; and each arbitrator shall be sworn before some one of Her Majesty's Justices of the Peace, in and for the said County of Wentworth, or the said city, any of whom may be required to attend the said meeting for that purpose, well and truly to assess the value or damages between the parties, to the best of his judgment: Provided always that any award under this Act shall be subject to be set aside on application to the Court of Queen's Bench, in the same manner and on the same grounds as in ordinary cases of arbitration, in which case a reference may be again made to arbitration as hereinbefore provided; and that any sum so awarded shall be paid within three months from the date of award, or determination of any motion to annul the same, and in default of such payment the proprietor may resume the possession of his property, and all his rights shall thereupon revive; and the award of a majority of the said arbitrators shall be binding on all parties concerned, subject as aforesaid.

Lands, &c. taken for purposes of Water Works to be vested in the Mayor, &c. of Hamilton.

Commissioners may lay down water pipes &c. in the County of Wentworth or City of Hamilton.

Satisfaction to be made for damages

5. The lands and water which shall be ascertained, set out, or appropriated by the said Commissioners for the purposes thereof as aforesaid, shall thereupon and for ever thereafter be vested in the Mayor, Alderman and Commonalty of the City of Hamilton, and their successors, and it shall and may be lawful for the said Commissioners, and their successors, to construct, erect and maintain upon the said lands all such reservoirs, water works and machinery requisite for the said undertaking, and to convey the waters thereto and therefrom, in, upon, or through any of the grounds and lands lying intermediate between the said reservoirs and water works, and the springs, streams, rivers or lakes, from which the same are procured, and the said City of Hamilton, by one or more lines of pipes, as may from time to time be found necessary; and for the better effecting the purposes aforesaid, the said Commissioners, their successors and servants, are hereby empowered to enter and pass upon and over the said grounds and lands intermediate as aforesaid, and the same to cut and dig up if necessary, and to lay down the said pipes through the same, and upon, over, under, and through the highways, railroads, and roads of and in the townships of the County of Wentworth, and through the public ways, streets, lanes or other passages of the said City of Hamilton, and in, upon, through or under the lands, grounds and premises of any person or persons, bodies corporate, politic or collegiate whatsoever, and to set out, ascertain, use and occupy such part or parts thereof as they, the said Commissioners or their successors shall think necessary and proper, for the making and maintaining of the said works, or for taking up, removing, altering or repairing the same, and for distributing water to the inhabitants of the City of Hamilton, or for the uses of the Corporation of the said City, or of the proprietors or occupiers of the lands through or near which

the same may pass, and for this purpose to sink and lay down pipes, trunks, reservoirs and other conveniences, and from time to time to alter all or any of the said works as well in the position as in the construction thereof, as to the said Commissioners or their successors shall seem meet, doing as little damage as may be in the execution of the powers hereby granted to them, and making reasonable and adequate satisfaction to the proprietors, to be ascertained in case of disagreement by arbitration as aforesaid: Provided always that nothing herein contained shall be construed to authorize the said Commissioners, or any person acting under their authority to take for the purposes of the said works, any house, garden, or orchard, without the consent of the owner.

19 V. Chap. 64

Proviso.

House or garden not to be taken without consent.

6. If any person shall wilfully or maliciously hinder or interrupt, or cause or procure to be hindered or interrupted, the said Commissioners or their managers, contractors, servants, agents or workmen, or any of them, in the exercise of any of the powers and authorities in this Act authorized and contained, or if any person shall wilfully or maliciously let off or discharge any water so that the same shall run waste or useless out of the said works, or if any person shall throw or deposit any thing or noisome or offensive matter into the said water or water works, or in any way foul the same or commit any wilful damage or injury to the works, pipes, or water, or encourage the same to be done, every person offending in any of the cases aforesaid shall, besides being subject to an action at law for the damages done thereby, be held guilty of a misdemeanor, and upon conviction thereof before any of the Courts of Criminal Jurisdiction in the County of Wentworth, or a Magistrate of the said County or City, shall be punished by the said Court by fine and imprisonment or either, at the discretion of the Court as in other misdemeanors at Common Law or by summary conviction.

Penalties in certain cases of hindrance or injury to the Commissioners or their works.

Offence to be a misdemeanor.

7. All materials procured or partially procured under contract with the Commissioners, shall be exempt from execution, but it shall be the duty of the Commissioners to pay the moneys due to such contractor for such materials to the judgment creditor of the contractor under whose execution such materials ought otherwise to have been sold, upon his producing to them due proof that his execution would have so attached. and such payment shall be held as valid payment on the contract.

Materials belonging to commissioners to be free from execution.

8. The Commissioners shall keep regular books of account and books for recording the whole of their official proceedings, and the said Commissioners and the Clerks employed in their service shall be sworn to the faithful performance of their duties, and all such books shall be open to the examination of any person or persons appointed for that purpose by the Mayor, Aldermen and Commonalty of

Books to be kept.



**19 V. Chap. 64**

Report to be made  
yearly to Mayor  
of Hamilton.

the City of Hamilton: The Commissioners shall also, on the thirtieth day of June and the thirty-first day of December in each and every year, make a report to the said the Mayor, Aldermen and Commonalty of the City of Hamilton, of the condition of the works under their charge, accompanied by a statement of their receipts and expenditures on account of the same.

Board to regulate  
distribution and  
price of water.

Proviso.

Corporation to  
direct certain  
works.

**9.** The Board of Commissioners for the time being, shall regulate the distribution and use of the water in all places and for all purposes, where the same may be required, and from time to time shall fix the prices for the use thereof, and the times of payment, and they may erect such number of public hydrants and in such places as they shall see fit, and direct in what manner and for what purposes the same shall be used, all which they may change at their discretion: Provided always, that all hydrants, conduits or other appliances required and furnished for the purpose of extinguishment of fires shall be placed as the Mayor, Aldermen and Commonalty of the City of Hamilton shall direct, and shall be under their exclusive control and direction.

Owner and  
occupier of house  
liable for payment  
of water rates.

**10.** The owner and occupier of any house, tenement or lot, shall each be liable for the payment of the price or rent fixed by the Commissioners for the use of the water by such occupier, and such price or rent so fixed shall be a lien upon the said house, tenement or lot in the same way and manner as other taxes assessed on real estate in the said City of Hamilton are liens, and shall be collected in like manner, if not previously paid to the Commissioners.

Quorum.

**11.** A majority of the said Commissioners shall constitute a quorum for the transaction of any business allowed or required by the powers or duties of their commission, and all contracts and engagements, acts and doings of the said Commissioners within the scope of their duty or authority, shall be obligatory upon and be in law considered as done by the Mayor, Aldermen and Commonalty of the City of Hamilton.

Commissioners  
may prosecute  
or defend actions  
under their name  
of office.

Vacancies in  
Board how filled.

**12.** The said Commissioners may prosecute or defend any actions or process at Law or in Equity by the name of the "Water Commissioners of the City of Hamilton," against any person or persons for money due for the use of the water, for the breach of any contract, express or implied, touching the execution or management of the works or the distribution of the water, or of any promise or contract made to or with them, and also for any injury or trespass or nuisance done or suffered to the water courses, pipes, machinery, or any apparatus belonging to or connected with any part of the works, or for any improper use or waste of the water; and any vacancy or the filling any vacancy in the Board of Commissioners, either before or after any cause of action arises or suit is commenced, shall not



change the right of the said Commissioners as a body to commence or maintain such action or process at Law or in Equity, but in all such cases they shall be considered from the time of the organization of the Board as a Corporation.

19 V. Chap. 64

13. The Commissioners and their officers shall have the like protection in the exercise of their respective offices and in the execution of their duties, as Justices of the Peace now have under the Laws of this Province.

Commissioners to have same protection as Justices of the Peace.

14. For the purpose of constructing the said Waterworks, and paying the expenses attended thereon, it shall and may be lawful to and for the Mayor, Aldermen and Commonalty of the City of Hamilton, and they are hereby required from time to time as the amounts may be required by the said Commissioners, to raise by loan upon the credit of the Debentures hereinafter mentioned, from any person or persons, body or bodies corporate, either in this Province, in Great Britain or elsewhere, who may be willing to lend the same, a sum of money not exceeding the sum of three hundred thousand pounds of lawful money of Canada, and for the Mayor of the said City of Hamilton for the time being, to cause to be issued Debentures or Bonds of the said City, under the Corporation Seal, signed by the Mayor, and countersigned by the Chamberlain of the said City for the time being, in such sums not exceeding in the whole the said sum of three hundred thousand pounds, authorized to be borrowed under this Act, as the Commissioners shall direct and appoint, and the principal sum secured by the said Debentures shall be payable within twenty years from the issuing thereof, and the interest accruing thereon shall be made payable semi annually, either in sterling or in currency in this Province, in Great Britain or elsewhere, as the said Council shall deem expedient or necessary.

City may borrow £300,000.

Debentures to be issued.  
Principal to be payable within 20 years.

Interest.

15. The said Waterworks to be erected and constructed under this Act, and also the Land to be acquired for the purposes thereof, and every matter and thing therewith connected, shall be and they are hereby specially charged, pledged, mortgaged and hypothecated for the repayment of any sum or sums which may be borrowed by the said Corporation for the purposes of this Act, as well as for the due and punctual payment of the interest thereupon, and all, each, and every of the holders of the Debentures in the last previous section mentioned, shall have a concurrent pledge, mortgage, hypothec or privilege on the said Water Works and property appertaining thereto, for securing the payment of the said Debentures, and the interest thereon.

Water Works to be mortgaged for repayment of sums borrowed.

16. The funds derived from the negotiation of the Debentures to be issued under this Act, shall, when received, be deposited by the said Commissioners for the

Funds borrowed to be placed in bank.

**19 V. Chap. 64**

Cheques for money to be signed by Chairman and Mayor.

time being, in some one or more of the chartered Banks of this Province, on such conditions as the said Commissioners shall from time to time agree upon, and only be withdrawn therefrom as they may from time to time be required for the payment and discharge of the liabilities that may be incurred in carrying out the improvements contemplated by this Act, and every cheque for the withdrawal of any moneys shall be signed by the Chairman of the said Commissioners and also by the Mayor of the said City for the time being.

Act not to be in force until Corporation pass By-law.

First election of Water Commissioners.

**17.** This Act shall not have any force or effect until the Mayor, Aldermen and Commonalty of the City of Hamilton shall pass a By-law authorizing the construction of the said Water Works, and on the said By law being passed, it shall be lawful for the Mayor of the said City, and he is hereby authorized and required to issue his warrant to the Returning Officer for each Ward in the said City for the then next preceding election for Aldermen and Councillors, requiring the said Returning Officer to proceed to the election of one Water Commissioner for each Ward in the said City, in the same manner in all respects, and giving the same notices as are now required in case of Municipal Elections in the said City, and all persons authorized to vote at such election for Aldermen and Councillors, shall be entitled to vote for the said Water Commissioner for his Ward, and not otherwise.

Term of Office of Commissioners.

**18.** The said Water Commissioners shall, at their first Meeting after their Election, determine by lot or otherwise, the terms during which they shall respectively hold their offices, and these shall be as follows: one of them shall remain in office one year, one two years, one three years, one four years, and one five years, all to be computed from the first Monday in the month of January next preceding.

Commissioners to be elected at each general municipal election.

Vacancies how filled.

**19.** At the Municipal Election, to be held in the said City in each year after the special elections hereinbefore authorized to be held for the election of the said Water Commissioners, there shall be elected in the same manner as the Aldermen and Councillors are elected, and by the persons now authorized to vote at such Election, one Commissioner for the Ward in which a vacancy has occurred by the retirement of the Commissioner whose term of office has expired, who shall hold his office for five years next ensuing such election: and any vacancies that shall occur in the said Commission by death, resignation or otherwise, shall be filled by a person to be named by the Mayor, Aldermen and Commonalty of the City of Hamilton, but the person or persons so appointed to fill such vacancies shall hold his or their offices only for the residue of the term for which he or they may be appointed.

20. The Chairman of the said Commissioners and the said Commissioners shall be paid for their services as the Mayor, Aldermen and Commonalty of the City of Hamilton shall annually fix, and shall also be paid all reasonable travelling expenses incurred while employed upon or about the works.

20 V. Chap. 84

Salaries to be determined by Mayor &c.

21. This Act shall be deemed and taken as a Public Act.

Public Act.

## 20 VICTORIA—CHAPTER 84.

*An Act to amend the Act entitled, an Act for the construction of Waterworks in the City of Hamilton, passed 10th June, 1857.*

WHEREAS the Water Commissioners of the City of Hamilton have by their petition prayed for power to close certain portions of the concession line between the third and fourth concessions of the Township of Barton, and of the said line between lots numbers three and four in the said third concession of the said Township, for the purpose of constructing reservoirs for their Waterworks thereon: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

1. It shall and may be lawful for the said Commissioners from time to time and at such times hereafter as they shall see fit, to close and shut up the concession road or line between the third and fourth concessions of the Township of Barton, for the distance of one thousand feet on each side of where the said line between lots numbers four and five in the said third concession joins the said concession road, and also to close the said side line for a distance of two hundred feet extending northerly from the north side of the said concession road, and to erect, build, maintain and keep upon the said concession road and side line, and such other lands as may be required therefor, all such reservoir and reservoirs for the said Waterworks as the said Commissioners may think it necessary to erect.

Water Commissioners may close up certain roads and erect reservoirs &c. thereon.

2. This Act shall be deemed a Public Act.

## 23 V. Chap. 87

## 23 VICTORIA - CHAPTER 87.

*An Act to amend an Act intituled : " An Act for the construction of Waterworks in the City of Hamilton, passed 19th May, 1860.*

Preamble.

19 V.—C. 64.  
20 V.—C. 84.

Water Commissioners may fix a yearly rate on real and personal property to pay interest and expenses.

Rate to be a lien on real property.

WHEREAS the Water Commissioners for the City of Hamilton by petition having prayed for the amendments hereinafter set forth of the Act passed in the Session of Parliament, held in the nineteenth and twentieth years of Her Majesty's Reign, and intituled : " An Act for the construction of Waterworks in the City of Hamilton ; " and it is expedient to grant such prayer : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada. enacts as follows :

1. The Water Commissioners for the City of Hamilton shall, in addition to the powers conferred upon them by the said Act, have full power and authority to levy and raise such a yearly or other rate or assessment or water rent on all and singular, the real property within the said City, whether owned by private individuals or bodies corporate, by, near or contiguous to which the water pipes may pass, and upon the stock in trade, household furniture and goods and chattels belonging to or in the possession of the owners or occupants of such real estate, (save and except always the real property and other effects of any Railway Company) as shall, in the opinion of the Commissioners, be sufficient to pay the yearly interest, at a rate not to exceed four per centum per annum, on the cost of the said Waterworks and the yearly expenses thereof, or such portion of such interest and expenses as, in their judgment, should be levied and raised in each year, and be borne by such owners and occupants ; and the Commissioners shall have power and authority, from time to time, to fix the rate or rates such owner or occupant, or both such owner and occupant, shall pay, having due regard to the advantages derived by such owner and occupant, or conferred upon him or her or their property by the Waterworks, and the locality in which the same is situated ; and so much of the said water rate or rent, as shall be assessed or levied upon the real estate, shall become a continuing lien, unless paid, upon such real estate, any thing in section ten of the said Act to the contrary notwithstanding ; and the Water Commissioners shall also have power and authority, from time to time, to fix the rate or rent to be paid for the use of the water by hydrants, fire plugs, public buildings, and street watering.

2. The Commissioners shall have full power, from time to time, to make and enforce all necessary By-laws,



rules and regulations for the collection of the said water rate and water rent, and for fixing the time and times when, and the places where, the same shall be payable, for allowing a discount for pre-payment; and, in case of default in payment; to enforce payment by shutting off the water, or by suit at law before any Court of competent jurisdiction, or by distress and sale of the goods or property upon which such rates shall have become a lien; provided that such distress and sale shall be conducted in the same manner as sales are now conducted for arrears of City Taxes; and provided further, that the attempt to collect such rates by any process hereinbefore mentioned, shall not in any way invalidate the lien upon the said premises.

## 23 V. Chap. 87

Water Commissioners may make By-laws for enforcing payment of such rates.

3. The Commissioners shall have power to employ collectors, assessors, and such other persons as in their opinion may be necessary to carry out the object of this Act, and to specify the duties of such persons so employed, and to fix their compensation; and all such persons shall hold their offices at the pleasure of the Commissioners, and shall give such security as the Commissioners shall from time to time require; and such collectors and assessors shall have as full power as the collectors and assessors in the Cities of Upper Canada do now possess and enjoy.

They may employ collectors and assessors.

Their powers.

4. If any person or persons shall lay, or cause to be laid, any pipe or main to communicate with any pipe or main of the said Water Works, or in any way obtain or use any water thereof, without the consent of the Commissioners, he or they shall forfeit and pay to the Commissioners the sum of one hundred dollars, and also a further sum of five dollars for each day such pipe or main shall so remain; which said sum, together with costs of suit in that behalf, may be recovered by civil action in any Court of Law in the Province having civil jurisdiction to that amount.

Penalty for persons fraudulently using the water.

5. If any person shall bathe or wash, or cleanse any cloth, wool, leather, skins, or animals, or place any nuisance or offensive thing in any of the reservoirs, cisterns, ponds, sources or fountains, from which the water for the said Water Works is obtained—or shall convey or cast, throw or put any filth, dirt, dead carcasses or other noisome or offensive things therein, or cause, permit or suffer the water of any sink, sewer or drain to run or be conveyed into the same, or cause any other thing to be done whereby the water therein may be in any wise tainted, every such person shall, on conviction thereof before any Justice of the Peace, on the oath of one credible witness, be by such Justice adjudged and condemned to pay a penalty for every such offence, not exceeding twenty dollars, one-half to be applied to the use of the Commissioners, and the other half to him or her who shall sue for the same; and in case the party suing for the same shall be the Commissioners themselves or any of their officers or servants, then the whole of the

Penalty on persons fouling the water.

How recovered and applied.

## 23 V. Chap. 87

said penalty shall be applied to the uses of the Commissioners; and such Justice may also, in his discretion, further condemn such person to be confined in the Common Gaol for a space of time not exceeding one month, as to him may seem meet.

Power to make By-laws to prevent waste or fraudulent use of the water.

6. It shall and may be lawful for the Commissioners, and they are hereby authorized and empowered, to make such By-laws as to them shall seem requisite and necessary for prohibiting, by fine not exceeding twenty dollars, or imprisonment not exceeding one month (the amount of such fine and duration of such imprisonment, and also the option between fine and imprisonment, being always in the discretion of the Justice of the Peace before whom any proceeding may be taken for enforcement thereof), any person being occupant, tenant or inmate of any house supplied with water from the said Waterworks, from vending, selling or disposing of the water thereof, for giving it away or permitting it to be taken or carried away, or from using or applying it to the use or benefit of others, or to any other than his, her or their own use and benefit, or from increasing the supply of water agreed for with the said Commissioners, or from wrongfully neglecting or improperly wasting the water, as also for regulating the time, manner, extent and nature of the supply of water to be provided and supplied by the said Works, the tenement or parties to which and to whom the same shall be furnished, the price or prices to be exacted therefor, the time and mode and circumstances of payment therefor, and each and every other matter or thing relating to or connected therewith which it may be necessary or proper to direct, regulate or determine for issuing to the inhabitants of the City a continued and abundant supply of pure and wholesome water, and to prevent the practising of frauds upon the Commissioners with regard to the water so to be supplied.

Mayor and Chairman of Finance Committee to have seats at the Board &c.

7. The Mayor of the City and the Chairman of the Finance Committee of the City for the time being, shall be *ex officio* Water Commissioners for the City, with all the powers of any other members of the Board.

Revenue to be paid over to city.

8. The revenue derived from the said Works, after paying the expenses thereof, shall, from time to time, be paid to the Chamberlain of the said City, for the purpose of paying the interest on the debentures issued for the construction of the said Waterworks, and for no other purpose.

Appeals to persons aggrieved.

9. Any person may appeal from any decision or assessment of the Assessor, to the Water Commissioners, and from that body to the Judge of the County Court in the same manner, and on taking the same steps as are provided for on appeal in case of assessment for City Taxes.

**10.** The Water Commissioners are hereby empowered to arrange with the Corporation or with individuals, for the extension of pipes in suburbs or partially built portions of the City, by allowing a deduction from the price charged for the water, to such extent as the Commissioners shall see fit, on the cost of the said pipes when laid by the parties under the direction of the Commissioners, and subject to their approval; or the Commissioners may lay the pipes, charging the said parties, in addition to the usual water rate, a yearly interest upon the cost of such extension, which interest, or such portion as shall then be due, shall be paid at the same time and collected in the same manner as the water rates.

**23 V. Chap. 87**

Provision as to extension of water works to suburbs &c.

**11.** In all cases where a vacant space intervenes between the line of the street and the wall of the building into which the water is to be taken, the Commissioners are empowered to lay the service pipes across such vacant space, and charge the cost of the same to the parties liable for the water rate for the premises, such charge to be payable with the first payment of water rates, and to be collected in the same manner.

Where there is a space between the street and any building.

**12.** The service pipe, from the line of the street to the interior face of the outer wall of the building supplied, together with all branches, couplings, stop-cocks, and apparatus placed thereon by the Commissioners, shall be under their control; and if any damage be done to this portion of the service pipe or its fittings, either by neglect or otherwise, the Commissioners may repair the same, and charge the expense to the premises; the stop cock placed by the Commissioners inside of the wall of the building shall not be used by the water tenant except in case of accident, or for the protection of the building or the pipes, and to prevent flooding of premises.

Certain pipes, &c. to be under the control of the Commissioners.

**13.** All parties supplied with water by the Commissioners may be required to place only such taps for the drawing and shutting off the water as shall be approved of by the Commissioners.

Taps, &c. subject to approval of Commissioners.

**14.** Neither the Water Commissioners nor the Corporation of the City shall be liable for damages caused by the breaking of any service pipe or attachment, or for any shutting off of the water to repair mains or tap the pipes, provided notice be given of the intention to shut off the water, when the same is shut off more than six hours at any one time.

No damages for shutting off water.

**15.** It shall be lawful for the officers of the Water Commissioners, and every person authorized by them for that purpose, to have free access, at proper hours of the day and upon reasonable notice given and request made for that purpose, to all parts of every building in which water is delivered and consumed.

Access allowed to Water Commissioners.

## 23 V. Chap. 87

Penalty on unauthorized persons interfering with hydrants &c.

16. If any person or persons not being in the employment of the Water Commissioners, or not being a member of the Fire Brigade of the said City, and duly authorized in that behalf, shall wilfully open or close any hydrant, or obstruct the free access to any hydrant, stop-cock, stop cock chamber or hydrant chamber, by placing on it any building material, rubbish or otherwise, every such person shall, on conviction before any of Her Majesty's Justices of the Peace, forfeit and pay for each offence a sum not exceeding twenty dollars, or in default of payment, be liable to be imprisoned in the Gaol of the County for a term not to exceed thirty days; and each time the said hydrants are so interfered with, and each day such obstruction shall continue, shall be considered a separate offence.

Water Works property exempt from taxes.

17. The lands, buildings, machinery, reservoirs, pipes, and all other real and personal property connected with or belonging to the Water Commissioners, shall from henceforth be exempt from taxation.

Water watchmen to be constables.

18. The watchmen and other officers of the Water Commissioners, when in discharge of their duty, shall be *ex officio* possessed of all the powers and authority of officers of the Peace.

Half-yearly statements of Commissioners.

19. Notwithstanding anything contained in the said Act, the Water Commissioners shall prepare a statement of their affairs up to the thirtieth day of June and the thirty-first day of December in each year, and such statements shall, within thirty days from those respective dates, be rendered to the Corporation of the City.

Water may be supplied to parties without the City.

20. The Water Commissioners shall have full power and authority to supply any person or persons with water, although not resident within the City of Hamilton, and may exercise all other powers necessary to the carrying out of their agreements with such persons, as well within the Townships of Barton and Saltfleet as within the City of Hamilton; and they may also, from time to time, make and carry out any agreement which they may deem expedient for the supply of water to any Railway Company or manufactory.

Public Act.

21. This Act shall be deemed a Public Act.



## 24 VICTORIA—CHAPTER 56,

## 24 V. Chap. 56

*An Act to vest in the Corporation of the City of Hamilton, the Waterworks of that City, passed 18th May, 1861.*

WHEREAS the Corporation of the City of Hamilton have petitioned that the Waterworks of the said City may be vested in the said Corporation, and it is expedient to comply with the prayer of such petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enact as follows :

Preamble.

1. The Act of the Parliament of this Province, passed in the twentieth year of Her Majesty's Reign, intituled : *An Act for the construction of Waterworks in the City of Hamilton*, and also another Act to amend the same, passed in the twenty-third year of Her Majesty's Reign, intituled : *An Act to amend an Act, intituled : An Act for the construction of Waterworks in the City of Hamilton*, shall be, and the same, save for the purposes of this Act, are respectively hereby repealed ; provided, always, that neither such repeal nor any thing herein contained shall affect, annul or make void, any matter or thing done or agreed to be done under the said Acts, or relieve any parties from obligations incurred thereunder, or whilst the same were in force.

Acts 20 V.—Ch. 84  
23 V.—Ch. 87  
repealed.

Proviso as to  
things done under  
them.

2. All and singular the powers, privileges and authorities by the said Acts conferred, given and granted to the Water Commissioners of the said City, shall, (save only as they are varied by this Act) from and after the passing hereof, be conferred upon, vested in, and exercised by the Corporation of the City of Hamilton, which, through its Council, shall, in all respects, and in every particular, occupy the place and position of the said Water Commissioners, and be liable for their engagements and contracts, and be entitled to the benefit of all contracts, engagements and securities entered into with the said Commissioners, and be entitled to sue thereon in the Corporate name of the said City ; and all property, real or personal, heretofore taken or held by or for the benefit of the said Commissioners, shall, from the passing of this Act, vest absolutely in the Corporation of the City of Hamilton ; and all and singular the enactments in relation to the said Waterworks, and the management thereof, in the said Acts contained, the penalties thereby imposed, and the powers thereby granted to Justices of the Peace, not inconsistent with this Act, are hereby re-enacted, as fully as if the same had been repeated herein, save only as they are modified or altered by this Act ; provided, also, that the words "Corporation

Powers granted to  
the Water Com-  
missioners by the  
said Acts, trans-  
ferred to the  
Corporation of  
the City.

How the enact-  
ments of the said  
Acts shall apply.

Proviso.

24 V. Chap. 56 of the City of Hamilton," shall be substituted for the words "Water Commissioners," wherever the same occur in the Acts hereinbefore referred to.

Corporation may exercise powers of former Commissioners and make a tariff of water rates

By whom payable and from what time.

As to broken periods.

Proviso: as to expense of introducing and distributing water.

Proviso: as to Railway Companies.

Council not to impose a special rate under 23 V—Ch. 87.

How the sums required to pay interest shall be raised.

Power to distrain and lien for water rent.

3. The Corporation of the City of Hamilton shall, through its Council, have full power and authority to exercise all and singular the powers conferred upon the said Commissioners (save as aforesaid); and, in addition thereto, it shall be lawful for the said Corporation, through its Council, from time to time, to establish by by-law, a tariff of rents or rates for water supplied, or ready to be supplied in the said City, from the said Waterworks; which said tariff of rents or rates shall be payable at the times, and in the manner to be established in the said by-laws, by all proprietors, occupants, or others supplied with water from the said works, or whom the said Council may be prepared and ready to supply with water; which said tariff of rents or rates shall, and may be made payable, by all such proprietors, occupants or others, as well by those who refuse as by those who consent to receive into their houses, stores or other buildings, the water pipe to supply the said water; but such tariff of rents or rates shall not be payable by the proprietors or occupants of any such house, store or other building, until after the said Council shall have notified them that they are prepared and ready to supply the same with water; and if from the time of such notification, to the next period appointed for the payment of such tariff, rents or rates, there shall be any broken period, then such tariff shall be payable *pro rata* for such broken period, as if accruing, and due day by day; provided that the expense of introducing the said water into the said houses, stores or other buildings, shall be borne by the said Council, and the work performed by them; but the expense of the distribution of the water, through the said houses, stores or other buildings, after being introduced into them, shall be borne and paid for by such proprietors or occupants; and provided, also, that nothing herein contained shall be held to give to the said Council greater powers, as regards the imposition of water rents or rates, upon any Railway Company, than such as are now by law vested in the said Commissioners.

4. The Council shall not have power to impose a special rate, as provided for by the first section of the Act secondly hereinbefore mentioned, other than the water rate or rent hereinbefore referred to; but any sum required to pay the interest of the Debentures issued for the said Waterworks, and the yearly expenses thereof, which the water rents may be insufficient to meet, shall be levied by a general assessment, in the same manner as assessments for other purposes under the general assessment laws.

5. The Corporation shall, in addition to any other remedy, have power to distrain for the said water rate or

rent upon the goods and chattels of the person or persons who ought to pay the same, or upon any goods and chattels in his possession, wherever the same may be found, and until payment, the same shall be a lien upon the premises, for which the same may be due, in the same manner as Municipal Taxes assessed on real estate are liens.

48 V. Chap. 59

6. The Council shall be, and they are hereby empowered to make such By-laws, as to them shall seem reasonable, for the purposes mentioned in the sixth section of the secondly hereinbefore mentioned Act ; but no Justice of the Peace shall be authorized to enforce the same by imprisonment for a longer period than fourteen days.

Council may make By-laws under sec. 6 of 23 V., Ch. 87.

Proviso.

7. No further Debentures shall be issued for the construction of the said Waterworks, except for the purpose of keeping the same in an efficient state of repair, and paying the expenses of laying and introducing the service pipes, or not exceeding in the whole with the amount already expended, the sum of two hundred thousand pounds.

Further water debentures limited.

8. This Act shall be deemed to be a Public Act.

Public Act.

## 48 VICTORIA—CHAPTER 59.

### ONTARIO STATUTES.

*An Act to amend the Acts relating to the Waterworks of the City of Hamilton, passed 30th March, 1885.*

WHEREAS the Corporation of the City of Hamilton have petitioned for certain amendments in the Acts relating to the Waterworks of the City of Hamilton, with a view to simplifying and facilitating the keeping and collection of accounts in connection with such Waterworks ; and whereas it is expedient to grant the prayer of the said petition ;

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Notwithstanding anything in the several Acts relating to the Waterworks of the City of Hamilton contained, it shall be lawful for the Council of the said City to pass a by-law or by-laws providing for the addition of a certain percentage or percentages to rates not paid at maturity in lieu of and substitution for the system of dis-

In lieu of system of discounts, additional charge may be made where rates are not paid at maturity.

40 V. Chap. 38 counts heretofore in operation under the said Acts ; and the Collector or Collectors shall have the like powers for levying the said addition to the rate or rates, as for levying the rate or rates and shall levy the same accordingly.

## 40 VICTORIA—CHAPTER 38.

### ONTARIO STATUTES.

*An Act to provide for the erection of a Court House in the City of Hamilton, passed 2nd March, 1877.*

Preamble.

WHEREAS it has become expedient and necessary that a new Court House with proper and suitable rooms, offices and accommodation therein should be erected in the City of Hamilton, and the Corporations of the County of Wentworth and of the City of Hamilton have mutually agreed upon the erection of such Court House, and upon the share or portion to be borne by the said Corporations respectively, of the charges and expenses which may be incurred of erecting and building the same in accordance with the provisions of the three hundred and sixty-third section of the Act respecting Municipal Institutions in the Province of Ontario, and for the issuing of debentures for raising the amount which may be necessary for the building, completing and furnishing of such Court House, rooms and offices, and in order to authorize the issuing of such debentures and the levying of the rates which will be necessary for the payment thereof, the said Corporation have petitioned that the agreement so entered into between them be confirmed and be declared to be binding on the said Corporations respectively, and it is expedient to grant the prayer of said petition ;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The agreement set forth in the Schedule hereunder written is hereby confirmed and declared to be binding on the said Corporations respectively ; and the Corporation of the County of Wentworth is hereby authorized to issue debentures for such amount as may be necessary for carrying out the objects of said agreement, the payment of the principal of such debentures to extend over a period of twenty years from the date thereof, and the interest thereon at the rate of six per cent. per annum, to be payable half

Agreement between County of Wentworth and City of Hamilton confirmed.



yearly, but such debentures may be made payable at such dates respectively as will provide for the annual payment of a portion thereof commencing at the expiration of the first five years of the said period of twenty years. in such manner as the Council of the said County may determine, and such debentures issued under the seal of the County, signed by the Warden and countersigned by the Treasurer, shall be valid and binding, and no purchaser or holder thereof shall be bound to inquire into the necessity for, or the amount of the expenditure for payment whereof such debentures shall be issued.

2. The Corporations of the County of Wentworth and City of Hamilton are hereby respectively authorized and required to levy in each year a special rate sufficient to make the annual payment of principal and interest which they have by the agreement set forth in the Schedule hereunder written, respectively agreed to contribute and pay for the purposes aforesaid, and the proportion payable by the City of Hamilton shall be paid over to the County of Wentworth by the Corporation of the said City in the manner and at the times provided in said agreement, but the County of Wentworth shall in any event be liable to the holders of the debentures aforesaid for the principal and interest thereby secured.

Special rate to be levied.

3. The County of Wentworth shall from time to time during the first five years of the period of twenty years over which such debentures shall extend, invest at interest the proportion of the principal money received from the City of Hamilton under the agreement aforesaid and not actually applied to the redemption of debentures, and also the interest to be derived therefrom, so that the City shall have the benefit of such accruing interest in the adjustment at the expiration of said five years of the interest account between said County and City mentioned in said agreement.

Proportion of amount received from City to be invested.

## SCHEDULE.

Articles of Agreement made this nineteenth day of February one thousand eight hundred and seventy-seven.

Between the Corporation of the County of Wentworth hereinafter called the County of the first part, and

The Corporation of the City of Hamilton, hereinafter called the City of the second part:

Whereas it is expedient and necessary that a new Court House for the said County and City should forthwith be built, with proper rooms, offices and accommodation

40 V. Chap. 38 therein for the convenient transaction of the business of the Courts, and other public business of the said County, including a Council Chamber for the County, and such suitable rooms, offices and accommodation for the use of the said City as the Councils of said County and City shall mutually agree upon, and the Joint Committee on Goal and Court House of the said County and City on the twenty-fifth day of January last passed a resolution in the words following, namely: "That this Joint Committee recommend to their respective Councils that the new Court House in and for the County of Wentworth and the City of Hamilton be erected at the joint expense of the said County and City, and that the cost and expense of the said erection be borne by the said Corporations in the following proportions, viz: Sixty per cent. of the said cost and expense by the Municipality of the City of Hamilton, and forty per cent. thereof by the Municipality of the said County of Wentworth, and that in the event of the said County raising the total funds necessary for the erection of said Court House, by debentures or otherwise, that the Corporation of the City of Hamilton do enter into an agreement to pay to the said County their said proportion of such cost and expense with interest as the said debentures shall fall due, and that in the event of any portion of the said building being occupied exclusively for offices of the employees of either of the said Municipalities, each of such Municipalities shall contribute the additional cost necessarily incurred in providing such accommodation, and that the plan submitted by Mr. C. W. Mulligan, be recommended for adoption, with such alterations and changes as the Joint Committee or their respective Councils may hereafter deem advisable and proper to be made in the same," which resolution has been adopted and confirmed by the Councils of the said County and City respectively.

Now, this agreement witnesseth that the said County and City do hereby agree that in pursuance of the said resolution they will proceed forthwith with the building of a new Court House for the said County and City, upon the site of the present Court House and County Buildings, with proper rooms, offices, and accommodation therein, for the convenient transaction of the business of the Courts, and other public business of the said County, including a Council Chamber for the County and such suitable rooms, offices, and accommodation for the use of the said City as the Councils of the said County and City shall mutually agree upon.

And the County do hereby agree that they will in the first place raise and pay all sums of money which may be necessary for the building, completing and furnishing of the said Court House, rooms, and offices, save and except for the building and furnishing of such rooms and offices as may be built or used exclusively for the City, and that the

sums requisite for the purposes aforesaid shall be raised by debentures extending over a period of twenty years from the date thereof, but such debentures may be made payable at such dates respectively as will provide for the annual payment of a portion thereof, commencing at the expiration of the first five years of the said period of twenty years, in such manner as the Council of the said County may determine.

40 V. Chap. 38

And the City hereby agree that they will pay to the County sixty per cent. of the cost and expense of the building, completing, and furnishing of the said Court House, and of the rooms, offices and accommodation provided therein for the convenient transaction of the business of the Courts, and will pay to the said County the entire cost of any portions of the said building which may be built exclusively for the use of the City, such payments to be made in equal annual instalments of the principal money extending over the said period of twenty years, and in equal half-yearly payments of the interest at the rate of six per cent. per annum upon such portion of the principal money payable by the City as may from time to time remain unpaid; provided, nevertheless, that an interest account shall be kept during the first five years of the twenty years over which said debentures shall extend, and that the interest payable during such five years shall be adjusted between the said City and County according to the shares they are respectively to contribute to the payment of the principal, and that each shall bear and pay its proper proportion of the interest actually paid by the County during such five years upon the moneys raised for the purposes aforesaid.

And the County hereby agree that they will pay the entire cost of building, completing and furnishing such portions of said building as may be built exclusively for the use of the County.

And it is hereby agreed that any loss, commission or expenses which may be paid or incurred in the sale of said debentures, shall be reckoned as part of the cost of said building and shall be chargeable as part of the principal sum, in the several proportions in which said principal sum shall be payable, and that any premium obtained upon the sale of such debentures shall be distributed in like manner.

And it is further agreed that if any dispute shall arise between said County and City, with respect to the matters hereinbefore mentioned, the same shall from time to time be referred to arbitration, in manner provided by the Municipal Institutions Act, unless the said County and City shall from time to time otherwise mutually agree.

And it is hereby lastly agreed that the said County

40 V. Chap. 38 and City shall join in a petition to the Legislature asking that this agreement be confirmed, and be declared to be binding on the said Corporations respectively, and that the said County be authorized to issue debentures for such amount as may be necessary for carrying out the objects of this agreement, the payment of the principal of such debentures to extend over a period of twenty years from the date thereof, and the interest thereon, at the rate of six per cent. per annum, to be payable half-yearly, but that such debentures may be made payable at such dates respectively as will provide for the annual payment of a portion thereof, commencing at the expiration of the first five years of the said period of twenty years, in such manner as the Council of the said County may determine, and that such debentures, issued under the seal of the County, signed by the Warden, and countersigned by the Treasurer, shall be valid and binding, and that no purchaser or holder thereof shall be bound to inquire into the necessity for, or the amount of the expenditure for payment whereof such debentures shall be issued, and that such County and City be respectively authorized and required to levy in each year, a special rate sufficient to make the annual payment of principal and interest, which they have hereby respectively agreed to contribute and pay for the purposes aforesaid, and that the proportion payable by the City shall be by them paid over to the County, in manner and at the times hereinbefore provided, and that the County shall in any event be liable to the holders of said debentures for the principal and interest thereby secured, and shall from time to time during the first five years of the said period of twenty years, invest at interest the proportion of the principal money received from the City and not actually applied to the redemption of debentures, and also the interest to be derived therefrom, so that the City shall have the benefit of such accruing interest in the adjustment at the expiration of said five years of the interest account between said County and City hereinbefore mentioned.

In witness whereof the said Corporations have hereunto affixed their respective corporate seals the day and year first above written.

THOMAS STOCK, { Seal of  
Warden. { County of  
Wentworth. }

F. E. KILVERT, { Seal of  
Mayor. { City of  
Hamilton. }



## 59 VICTORIA—CHAPTER 99.

59 V. Chap. 99

## ONTARIO STATUTES.

*An Act respecting the Gaol of the County of Wentworth.**Assented to April 7th, 1896.*

**W**HEREAS, the Corporation of the County of Wentworth herein called the County, have by their petition represented that they are seized in fee simple of the lands and premises described in the Agreement which forms Schedule "A" to this Act, upon which is erected the Gaol of the County of Wentworth, which is also used as the Gaol of the City of Hamilton, herein called "the City," recently declared their intention of erecting a gaol for the said City and passed a By-law authorizing the issue of Debentures of the City for \$36,000 to provide the moneys necessary for that purpose, and that the County and the City have entered into the said agreements for the sale of the said gaol to the City. and both the County and the City have prayed that the terms of the said agreement may be confirmed, and that the By-law of the City authorizing the issue of Debentures for \$36,000 may be declared valid and that such debentures or the proceeds thereof may be used so far as necessary to pay for the purchase of the County Gaol; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The agreement, dated the third day of September, 1895, and made between the County and the City and which is set out in the Schedule "A" to this Act is hereby declared to be legal and valid and to be binding on the parties thereto.

2. From and after the conveyance of the said gaol lands and premises to the City, the said Gaol shall cease to be the gaol of the County of Wentworth, and shall become and be the gaol of the City of Hamilton, and shall be preserved and kept by the said City as and for a gaol at their sole expense and shall be regulated by the By-laws of the Council of the said City, and it shall also be the gaol of the County of Wentworth for the period of ten years, and shall so continue thereafter until the Council of the said County shall otherwise direct.

Agreement between City and County confirmed

3. By-law numbered 785 passed by the City on the Thirteenth day of May, 1895, "To issue Debentures to the amount of \$36,000 for building a Gaol," which By-law is set

Maintenance of Gaol.

## 59 V. Chap. 99

By-law No. 785 for  
building Gaol  
confirmed.

out in Schedule "B" to this Act, and the debentures to be issued thereunder are hereby declared to be valid, legal and binding upon the said City and the ratepayers thereof, and the said City are hereby authorized to use the debentures to be issued under the said By-law or the proceeds thereof so far as necessary to pay for the purchase of the County Gaol under the said agreement, and any part thereof not required for that purpose shall be used for making necessary repairs and improvements in the said Gaol.

## SCHEDULE "A." SECTION 1.

Agreement.

This agreement made this Third day of September, 1895, between the Corporation of the County of Wentworth hereinafter called "the County" of the first part, and the Corporation of the City of Hamilton hereinafter called "the City" of the second part.

Whereas the County are seized in fee simple of the parcel of land and premises hereinafter described upon which is erected the Gaol of the County of Wentworth and the same has hitherto been and still is used as the Gaol of the City of Hamilton ;

And whereas the City recently declared their intention of erecting a gaol upon lands, the property of the City, that the same might be the gaol of the City of Hamilton, and thereupon an agreement was come to between the parties hereto for the sale by the County to the City of the existing gaol of the County, and it is desirable to define the terms of such agreement ;

Now this agreement witnesseth that the parties hereto, each for themselves, their successors and assigns, mutually covenant and agree with the other as follows :

Description of  
property.

1. The County agree to sell to the City who agree to buy from them all and singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario, described as follows: that is to say, Commencing where the easterly limit of Elgin Street intersects the northerly limit of Barton Street, thence along the northerly limit of Barton Street on a course south, seventy-two degrees east, two hundred and seventy-eight feet and four inches, more or less, to the Western limits of Ferguson Avenue thence along the Westerly limits of Ferguson Avenue on a course North eighteen degrees east eight hundred and fifty-seven feet more or less to the lands of the Grand Trunk Railway Company of Canada, thence following the southerly limits of said lands north, seventy-two degrees West two hundred and eight-eight feet and four

inches, more or less to a point in a line with the easterly limits of said Elgin Street, thence south eighteen degrees west eight hundred and fifty-seven feet, more or less, to the place of beginning, saving and excepting thereout the parcel of land conveyed by the Corporation of the County of Wentworth to the Hamilton and Lake Erie Railway Company, by deed bearing date 20th January, 1873, registered as number 8,434 and containing by admeasurement one acre and ten-hundredths of an acre, more or less, and also excepting thereout the parcel of land conveyed by the Corporation of the County of Wentworth to Messrs. H. H. Hurd and D. E. Roberts by deed bearing date 31st March, 1875, confirmed by deed dated 7th March, 1877, which deeds are registered as numbers 13,087 and 16,280 respectively, together with the Gaol and other buildings thereon erected, and all their interest in the furniture and clothing therein as the same may exist at the date in the next clause mentioned for the price or sum of thirty-five thousand (35,000) dollars but subject to the terms and conditions hereinafter expressed and contained.

59 V. Chap. 99

Gaol and other buildings furniture and clothing.

Price \$35,000.

2. The purchase money shall be payable on the first day of the month next after the expiration of a full month from the end of the next session of the Legislative Assembly of the Province of Ontario, if at such session an Act as hereinafter mentioned be passed, and simultaneously with such payment the County shall deliver to the City a conveyance of such premises in fee simple free from all incumbrances, and assign and transfer to the City all policies of fire insurance on the Gaol then in force, the City paying to the County a proportionate part of the premiums in respect of the unexpired terms of such policies, and if the premises be damaged or destroyed by fire before such conveyance the City shall have the benefit of the fire insurance in reduction of their purchase money.

Purchase money when payable.

County to convey to City.

Fire Insurance.

3. On such conveyance the City shall take over all stores and supplies on hand at cost price, paying the County their proportion of such price, and in the event of any difference or disagreement as to the amount to be paid therefor the same shall be determined by one of the inspectors of prisons and asylums, and the expenses of such determination shall be borne by the parties hereto equally.

Inspector of Prisons to determine amount in case of disagreement.

The City shall also assume the payment from the date of conveyance of all salaries and wages and the carrying out of all existing contracts for supplies or the like, not to extend beyond the first day of July 1896.

City to assume payment of salaries and wages, and carry out contracts.

4. From and after such conveyance the said Gaol shall cease to be the Gaol of the County of Wentworth and shall become and be the Gaol of the City of Hamilton and shall be preserved and kept by the City as and for a gaol at their sole expense and shall be regulated by the By-laws of the

When Gaol ceases to be County Gaol.

Gaol to be regulated by By-laws of City Council.

**59 V. Chap. 99**

To be Gaol of  
County till County  
otherwise direct,

City Council, and it shall also be the Gaol of the County of Wentworth for the period of ten years and shall so continue thereafter until the Council of the said County otherwise directs.

Charge for Main-  
tenance of County  
Prisoners.

When payable.

For the term of five years from such conveyance the City are to maintain all County prisoners committed to the City gaol at the rate of thirty-seven and one-half cents ( $37\frac{1}{2}$  cents) per prisoner per diem, payable by the County to the City quarterly, on the first day of each of the months of January, April, July and October, and after such term of five years the County shall pay to the City quarterly, on the days in this clause mentioned, for the maintenance of all County prisoners committed thereto after such rate as may be agreed on, or in the event of disagreement as shall be determined by arbitration under the provisions of "The Municipal Act."

Agreement not to  
come into effect  
until confirmed by  
Legislature.

5. The terms of agreement hereinbefore contained shall not come into force or take effect unless and until an Act of the Legislature of the Province of Ontario be passed confirming the same substantially, and the parties hereto agree to join in a petition to the said Legislature praying that such an Act may be passed, and by all lawful means to promote the passage of such Act.

By-law No. 785 to  
be confirmed.

Such Act shall also provide for confirming and declaring valid By-law No. 785 passed by the City on the 13th May, 1895, authorizing the issue of debentures to the amount of \$36,000 for building a gaol, and shall also provide for such debentures or the proceeds thereof being used so far as necessary to pay for the purchase of the County gaol as hereinbefore mentioned.

Time during  
which County is  
to keep and man-  
age Gaol.

6. The County shall in the meantime, and until the first day of the month next after the expiration of a full month from the end of the next Session of the Legislative Assembly of the Province of Ontario, continue to keep and manage the Gaol, and the City shall contribute on the basis of the existing arrangement.

In witness whereof the Corporate seals of the said respective corporations have been set hereto under the hands of the Warden of the County and the Presiding Officer of the Council of the City respectively.

Signed, sealed and delivered	}	J. O. McGREGOR,
in presence of		Warden County of Wentworth.
H. THOMPSON.		{ Seal of the County }
T. BEASLEY,		{ of Wentworth. }
	}	E. A. COLQUHOUN,
		Presiding Officer.
		{ Seal of the City of }
		Hamilton.



## SCHEDULE "B." SECTION 3.

BY-LAW 785.

## BY-LAW No. 785.

*To issue debentures to the amount of \$36,000 for  
building a Gaol.*

WHEREAS it is necessary to build and furnish a Gaol  
in this City and to raise for that purpose the sum of \$36,000 by the issue of debentures of this Municipality. Preamble.

And whereas it will require the sum of \$2658.60 to be  
raised annually for a period of twenty years for paying the  
instalments of principal and interest upon said debentures  
in the manner hereinafter provided.

And whereas the amount of the whole ratable property  
of this Municipality, according to the last revised assess-  
ment roll is \$25,138,220.

And whereas the existing debenture debt of this Muni-  
cipality amounts to \$3,161,394 and no principal or interest  
is in arrear.

Be it therefore enacted by the Municipal Council of the  
Corporation of the City of Hamilton :

1. That it shall be lawful for the Mayor of the said  
City, and he is hereby required to issue debentures to the  
amount of \$36,000 in sums of not less than \$100 each, which  
debenture shall be sealed with the seal of the said Corpora-  
tion, signed by the Mayor, and countersigned by the  
Treasurer of the said City, and shall be made payable as  
follows :

Authority to issue  
Debentures.

July 1st, 1896....\$1204 20	July 1st, 1906....\$1789 39
" " 1897.... 1252 85	" " 1907.... 1861 69
" " 1898.... 1303 47	" " 1908.... 1936 89
" " 1899.... 1356 13	" " 1909.... 2015 15
" " 1900.... 1410 93	" " 1910.... 2096 56
" " 1901.... 1467 92	" " 1911.... 2181 25
" " 1902.... 1527 23	" " 1912.... 2269 38
" " 1903.... 1588 93	" " 1913.... 2361 05
" " 1904.... 1653 12	" " 1914.... 2456 46
" " 1905.... 1719 94	" " 1915.... 2547 46

Debentures when  
payable.

**BY-LAW 785.**

Interest.

and bear interest at the rate of four per cent. per annum, payable half-yearly on the first days of January and July in each year, coupons therefor to be attached to said debentures.

Debentures where payable.

**2.** The said debentures shall be payable at the office of the Treasurer of the said City of Hamilton.

Special rate.

**3.** There shall be raised and levied annually during the period of twenty years from July 1st, 1895, the sum of \$2,658.60 by special rate on all the ratable property in the said Municipality for payment of said instalments of principal and interest.

Voting on by qualified electors.

**4.** The votes of the qualified electors of this Municipality shall be taken on this By-law by the deputy returning officers hereinafter named, on Wednesday, May 1st, A. D. 1895, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon, at the undermentioned places :

	WARD.	DIV.	PLACE.	RETURNING OFFICER.
Polling Places.	1	1	666 King st. east.	Alex. Turnbull
	1	2	404 King st. east.	W. P. Smith
	2	1	146 King st. east.	R. Ellicott
	2	2	24 Jackson st. west.	William Herman.
Returning Officers.	3	1	193 King st. west.	William Allen
	3	2	137 Hannah st. west.	Edward Smith
	3	3	501 King st. west.	Joseph Kent
	4	1	58 Caroline st. north.	James Byrens
	4	2	392 York st.	John Greig
	5	1	City Hall.	L. Hills
	5	2	363 James st. north.	T. Smith
	6	1	113 Rebecca st.	Samuel Robins
	6	2	Shop, cor. John and Barton sts.	J. Houlden
	6	3	83 Picton st. east.	A. McPherson
	7	1	83 East ave. north.	H. Mason
	7	2	28 Tisdale st.	J. G. V. Burkholder
	7	3	421 Barton st. east.	Albert Swazie

Appointment of agents.

**5.** On Monday, the 29th day of April, 1895, the Mayor shall attend at the Council Chamber, at 11 o'clock in the forenoon, to appoint persons to attend at the various polling places and at the final summing up of the votes by the City Clerk on behalf of the persons interested in opposing or promoting the passing of the By-law.

Summing up of votes.

**6.** The Clerk of the Council of the said Municipality shall attend at his office in the City Hall, at 11 o'clock in the forenoon, on Friday, the 3rd day of May, 1895, and sum up the number of votes given for and against the By-law.

This By-law shall take effect on the 1st day of June, 1895. **61 V. Chap. 43**

Date when By-law takes effect.

Passed this 13th day of May, A. D. 1895.

T. BEASLEY,  
*City Clerk.*

A. D. STEWART,  
*Mayor.*

## 61 VICTORIA—CHAPTER 43.

### ONTARIO STATUTES.

*An Act relating to the City Hospital of Hamilton.*

*Assented to 17th January, 1898.*

WHEREAS the Corporation of the City of Hamilton has by its petition represented that the said Corporation erected and furnished at its own expense a public Hospital in said City many years ago and has since maintained said Hospital and erected additional buildings in connection therewith, and on the eighteenth day of May, in the year 1896, the Council of said Corporation passed a By-law which is set forth in a Schedule to this Act, under which By-law a Board of Governors has been appointed, and has assumed the control and management of said City Hospital, and the Council of said City Corporation has by its petition prayed that said By-law may be confirmed and may be declared to be legal and valid, and that the expenditures made by said City Corporation for and in connection with such City Hospital and the maintenance thereof may be ratified, and the said City Corporation may be authorized to expend such further sums from time to time as the Council of said Corporation may deem necessary or proper for extending, furnishing and maintaining said City Hospital, and whereas it is expedient to grant the prayer of the said petition ;

Preamble.

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The By-law of the Corporation of the City of Hamilton passed on the eighteenth day of May, 1896, and entitled By-law No. 842, respecting the City Hospital, a copy whereof is set forth in Schedule "A" to this Act, is hereby confirmed and declared to be legal and valid, and

By-law No. 842,  
respecting City  
Hospital confirm-  
ed

**59 V. Ch. 112** such By-law shall continue in force until repealed, altered or amended by Act of the Legislature of the Province of Ontario, or by any By-law or By-laws which may from time to time be passed by a vote of two-thirds of the whole Council of the Corporation of the City of Hamilton.

Lands, etc. vested  
in City.

**2.** The lands, buildings and other property acquired by said City Corporation for the purposes of said City Hospital shall continue to be vested in said City Corporation, unless or until the same or any portions thereof shall be sold or otherwise disposed of under the authority of the Council of said City Corporation.

Expenditure by  
City legalized.

**3.** The expenditures made by said City Corporation for and in connection with said City Hospital and the maintenance thereof are hereby ratified, and the City Corporation is also authorized to expend such further sums from time to time as the Council of said Corporation may think proper for extending, furnishing or maintaining said City Hospital.

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#### SCHEDULE "A" SECTION I.

*By-Law No. 842, respecting the City Hospital.*

*(Printed as By-law No. 51. Page 143.)*

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### 59 VICTORIA—CHAPTER 112.

#### ONTARIO STATUTES.

*An Act respecting the Hamilton Gas Light Company.*

*Assented to April 7th, 1896.*

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Preamble.

**W**HEREAS the Hamilton Gas Light Company was incorporated by an Act passed in the session of the Parliament of Canada held in the 13th and 14th years of Her Majesty's reign chaptered 136 and intituled "An Act to incorporate the Hamilton Gas Light Company," and whereas by an act of the Legislature of Ontario, passed in the 53rd year of Her Majesty's reign chaptered 131 and intituled "An Act respecting the Hamilton Gas Light Company" certain amendments were made to the said Act of



Incorporation which are hereby ratified and confirmed; and whereas the said Company and the Corporation of the City of Hamilton have petitioned for further legislation relating to the said Company; and whereas it is expedient to grant the prayer of such petition; 59 V. Ch. 112

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The gross revenues of the Company shall from year to year be dealt with and applied in manner following: The proper and reasonable working expenses, interest and the cost of management, and of all necessary repairs and renewals and the fees of the President, Vice-President and Directors, which shall not exceed five thousand seven hundred dollars per annum or an amount not exceeding two per cent upon the paid up capital stock of the Company in case additional capital stock shall be issued, and all proper allowances for bad and doubtful debts or losses by accidents or otherwise shall first be deducted therefrom, and after payment out of the surplus of a dividend not exceeding ten per cent. per annum, payable half yearly upon the paid up capital stock of the Company, the balance shall be placed in equal shares to the credit of the reserve fund of the Company and of a fund to be called the surplus profit fund; and as soon as such surplus profit fund shall amount to a sum equal to five cents per thousand feet of the gas consumed for illuminating purposes during the immediately preceding year, a reduction of five cents per thousand feet shall be made to consumers in the price of gas supplied for illuminating purposes for the then succeeding year, and such reduction shall continue to be made from time to time when the amount at the credit of the surplus profit fund shall be sufficient to warrant it upon the basis hereinbefore mentioned, and further reductions of five cents per thousand feet in the price of gas supplied for illuminating purposes shall be made from time to time when the amount at the credit of such fund shall so warrant upon the basis aforesaid.

Application of  
revenues of Com-  
pany.

2. Whenever the price of gas supplied for illuminating purposes shall be reduced to the price charged for manufacturing or heating purposes the price of the gas used for such latter purposes shall be subject to a like reduction as that used for illuminating purposes, and shall be brought within this Act as to the operation of the said surplus profit fund in procuring the reduction in the price of gas.

Reduction of price  
of Gas used for  
manufacturing or  
heating.

3. The application of the revenues in the manner hereinbefore provided shall commence from and after the thirty-first day of January, 1896, being the date of the termination of the last financial year of the Company, and the accounts of the funds in the next preceding section mentioned shall

When application  
of revenue under  
Act to commence.

59 V. Ch. 112 be made up to the thirty-first day of January in each succeeding year, and the amounts to be from time to time placed to the credit of the surplus profit fund, shall be so credited annually on the thirty-first day of January in each year.

Reserve Fund.

4. When the said reserve fund of the Company shall have reached an amount equal to one-half of the par value of the paid-up capital stock of the Company and so long as the amount at the credit of such fund shall be equal to one-half of the par value of the paid-up capital stock from time to time issued, no further sum shall be placed to the credit of such reserve fund, but the whole of the surplus profits which would otherwise be divided equally between the reserve fund and the surplus profit fund shall be put to the credit of the latter fund.

Application of  
reserve fund.

5. The said reserve fund may be used to make good any damage by the act of God, the Queen's enemies, fire, tempest or explosion to the real property or plant of the Company or for necessary new buildings or plant, and such expenditures shall be deemed a proper investment of such reserve fund, but the amount to be hereafter placed to the credit of such reserve fund shall be so invested that one-fourth of the entire reserve fund of the Company shall, as soon as practicable, be invested in interest bearing securities such as life insurance companies are or may be permitted to take as investments under the Insurance Acts from time to time in force in this Province.

Capital stock and  
reserve fund.

6. It is hereby declared that the present paid-up capital stock of the Company amounts to two hundred and fifty-five thousand dollars, and that the amount now at the credit of such reserve fund is seventy-five thousand dollars which is invested in real property and plant of the Company.

Sales of future  
issues of stock.

7. If any new stock of the Company shall be issued it shall be put up for sale by auction in lots of not more than ten shares of the par value of forty dollars each, after three weeks' notice by advertisement in at least two daily papers in the City of Hamilton, and the premium upon such new issue of stock shall be placed to the credit of such reserve fund until it has reached an amount equal to one-half of the then paid-up capital stock of the Company.

Annual audit by  
City.

8. The Company shall permit the Corporation of the City of Hamilton to make an annual audit of the receipts and expenditures of the Company and of the accounts of or relating to the said reserve fund and the said surplus profit fund.

9. If at any time the Company shall make a reduction in the price of gas before the amount at the credit of the Surplus profit fund shall make it incumbent upon them to do so, such reduction shall be taken as a portion of the reduction which the consumers might thereafter be entitled to under the terms of this Act.

## 56 V. Chap. 65

When reduction takes place before surplus profit fund renders it necessary.

10. If in any year the net profits of the Company applicable to the payment of a dividend upon the paid up capital stock of the Company are not sufficient to pay such dividend at the rate of ten per cent. per annum it shall and may be lawful for the directors, in their discretion to draw upon the said reserve fund to the extent of any such deficiency and to restore any amount so drawn to the said reserve fund out of the earnings of the Company by the annual payments provided for in the first section of this Act.

Drawing on reserve fund to make up deficiency in dividends.

## 56 VICTORIA—CHAPTER 65.

## ONTARIO STATUTES.

*An Act respecting the Debenture Debt of the City of Hamilton.*

*Assented to 27th May, 1893.*

WHEREAS by the City of Hamilton Debentures Act of 1883, passed by the legislature of Ontario, the Corporation of the City of Hamilton were authorized to issue debentures to the amount of \$2,000,000 for the purpose of redeeming the outstanding Debentures of the said City, issued under the City of Hamilton Debentures Act, 1864; and by an Act of said legislature passed in the 54th year of Her Majesty's reign intituled "An Act to enable the Corporation of the City of Hamilton to issue certain debentures and for other purposes," the said Corporation were authorized to issue debentures to the amount of \$256,000 to pay off the floating debt of the said Corporation; and whereas no debentures have been issued under the first recited Act, and debentures to the amount of \$256,000 have been issued under the last recited Act and have been hypothecated with the Bank of Hamilton as a security for a loan to pay off said floating debt, and the said Corporation are desirous of consolidating the said issues of debentures and of extending the payment thereof over a period of forty years and have by their petition represented that for the purposes aforesaid it will be necessary to issue debentures to the amount of \$2,350,000; and have prayed

Preamble.

56 V. Chap. 65 that an Act may be passed for the purposes aforesaid ; and whereas it is expedient to grant the prayer of the said petition ;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

1. The said Corporation of the City of Hamilton may issue debentures under their corporate seal, signed by the Mayor and countersigned by the Treasurer for the time being, in such sums, not exceeding \$2,350,000 in the whole, as the said Corporation may from time to time direct, and the principal sum secured by the said debentures and the interest accruing thereon, may be made payable either in this Province or in Great Britain, or elsewhere, and may be expressed in sterling money of Great Britain or currency of Canada or of the United States, or in gold, or partly in each, as the Corporation may deem expedient.

Issue of Debentures to \$2,350 000 authorized.

2. The Corporation of the said City may, for the purposes hereinafter mentioned, raise money by way of loan on the said debentures in this Province or in Great Britain, or elsewhere, or sell and dispose of said debentures from time to time as they may deem expedient.

Power to raise money on debentures.

3. The said Debentures shall be payable in not less than twenty years from the date thereof, and not later than the first day of April, 1934, as the said Corporation may direct ; coupons shall be attached to the said Debentures for the payment of the interest thereon, and such interest shall be payable half-yearly on the first day of the months of April and October in each and every year at the places mentioned therein and in the coupons attached thereto, and such debentures may bear interest at any rate not exceeding six per cent per annum.

Payment of debentures and interest.

4. The said Debentures and all moneys arising therefrom shall be applied by the said Corporation in the redemption of the now outstanding debentures of the City of Hamilton issued under " The City of Hamilton Debentures Act, 1864," and of the debentures issued under the Act hereinbefore recited intituled " An Act to enable the Corporation of the City of Hamilton to issue certain debentures and for other purposes " and in no other manner and for no other purpose whatsoever, except that if any surplus shall remain after redeeming such outstanding debentures and paying all expenses connected with the redemption thereof, such surplus may be applied for such purposes and in such manner as the Council may by any by-law or by-laws direct.

Application of proceeds of debentures.

54 V.—C. 70.

5. The said Corporation shall redeem the said outstanding debentures with the funds raised under this Act,



or may, with the consent of the holders thereof, substitute for the said debentures, or any of them, debentures authorized to be issued by this Act, upon such terms as may be agreed on between the said Corporation and the holders of such debentures.

# 56 V. Chap. 65

Redemption of  
outstanding de-  
bentures.

6. For payment of the interest upon the debentures to be issued under this Act the said Corporation shall levy such annual sum over and above all other rates to be levied in each year as shall be sufficient to pay such interest and for payment of the principal a sinking fund of one per cent. per annum upon the debentures outstanding under this Act.

Special rate.

7. The sinking fund levied under this Act shall be invested and dealt with in the manner provided by Section 375 of the Consolidated Municipal Act, 1892, or in such manner as may be authorized by any Acts of the Legislature of the Province of Ontario from time to time in force, but the said Corporation shall have power at any time to invest any moneys standing at the credit of the sinking fund in the redemption of any debentures issued under the authority of this Act.

Investment of  
sinking fund.

55 V.—C. 42.

8. The debentures issued under this Act may be in the form contained in the Schedule "A" to this Act, or to the like effect and the by-law or by-laws for the special rate for payment of the interest, and to form a sinking fund for the payment of the principal of said debentures, may be in the form of Schedule "B" to this Act, or to the like effect, or said debentures and by-laws may be in such other form as the Council may adopt in accordance with the provisions of this Act.

Form of debentures  
and By-laws

9. No irregularity in the form either of the said Debentures or of the By-law or By-laws authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the said Corporation for the recovery of the amount of said debentures and interest or any or either of them, or any part thereof.

Irregularities in  
form not to in-  
validate debentures.

10. It shall not be necessary to obtain the assent of the electors of said City to the passing of any by-law under this Act or to observe the formalities in relation thereto prescribed by The Consolidated Municipal Act 1892, or any Act amending the same.

Assent of electors  
not required.

55 V.—C. 42.

11. The provisions of the City of Hamilton Debentures Act, 1864, and of the Act hereinbefore recited, intituled "An Act to enable the Corporation of the City of Hamilton to issue certain Debentures and for other purposes," shall be superseded by the provisions of this Act to the extent of so much of the now outstanding debentures issued under the said Acts respectively as may under this

Provisions of 27,  
28 V., C. 72 and 54,  
V. C. 70 superseded.

**56 V. Chap. 65** Act be from time to time exchanged or redeemed, as and when new debentures in lieu thereof shall from time to time be issued under this Act, and shall be substituted for or be used for redeeming the said outstanding debentures issued under the former Act, and the powers conferred by this Act shall supersede and take the place of the powers conferred by the City of Hamilton Debentures Act of 1883.

46 V.—C. 34.

Power to impose additional charges on defaulters and to remit same.

**12.** If any ratepayer shall omit to pay his quota of the rate or rates authorized by this Act, by the fifteenth day of December in any year or within two months thereafter, or if any taxes assessed on the assessable property of non-residents shall be in arrear for two months after the said fifteenth day of December in any year, every person so in arrear and his assessable property shall, after the expiration of the respective two months, be held liable to pay to the Corporation an addition of twenty-five per cent. to the said rate or rates so imposed, and the increased sum shall be so payable not as a penalty but as liquidated damages for the delay; and the collector or collectors shall have the like powers for levying the said addition to the rate or rates as they had for levying the rate or rates, and shall levy the same accordingly, and the burden of proof of payment of the rate or rates shall be on the ratepayer; and it shall not be in the power of the Council to remit such increased rate, and the remission of such increased rate shall be absolutely null and void, and the members of the Council assenting thereto shall be severally liable to make good the same at the suit of any ratepayer or creditor who may elect to sue therefor for the benefit of the Corporation.

Debenture holders to have no lien on Water works.

**13.** There shall be no special lien upon the Waterworks of the City of Hamilton for or in respect of the said debentures or any of them, but the revenues to be derived from the said Waterworks may be used and applied in such manner as the Council of the City may from time to time deem fit.

Assessment of property detached from Township of Barton and annexed to City.

**14.** The property in those portions of the Township of Barton added to the City of Hamilton by the Proclamation of the Lieutenant-Governor of Ontario, dated on the second day of July, 1891, shall be liable for a rateable proportion of forty-five per cent. only of the amount of the debentures to be issued under this Act, and the rates to be levied upon or in respect of such property for the payment of said debentures shall be estimated upon that basis.

Short title.

**15.** This Act may be cited as "The City of Hamilton Debentures Act of 1893."

## SCHEDULE "A." SECTION 8.

BY-LAW 693.

*Province of Ontario, City of Hamilton Debenture.*

Under and by virtue of The City of Hamilton Debentures Act of 1893, the Corporation of the City of Hamilton promise to pay the bearer at.....the sum of .....on the.....day of..... One thousand, nine hundred and....., and to pay the bearer the half yearly coupons for interest thereon hereto attached, as the same shall severally become due.

Form of debenture.

Dated at Hamilton, Ontario, this.....day of.....18....

{ L. S. }

A. B., Mayor,

C. D. Treasurer.

## SCHEDULE "B." SECTION 8.

## BY-LAW No. 693.

*By-law to authorize the issue of \$2,350,000 of debentures under the authority of "The City of Hamilton Debentures Act of 1893," and to impose a special rate for the payment thereof.*

**W**HEREAS the said Act authorizes the issue of debentures for the purposes therein mentioned, not exceeding the sum of \$2,350,000 in the whole, as the Corporation of the City of Hamilton may direct.

Preamble.

And whereas, for the purposes mentioned in the said Act, it is necessary and expedient to issue debentures to the extent of two million three hundred and fifty thousand dollars, payable on the first day April, 1934, with interest thereon at the rate of four per cent. per annum, payable half yearly, according to the coupons to the said debentures attached.

And whereas the said Act requires that for the payment of the interest upon the debentures to be issued under it, this Corporation shall levy such annual sum over and

**58 V. Chap. 68** above all other rates to be levied in each year as shall be sufficient to pay such interest, and for the payment of the principal a sinking fund of one per cent. per annum upon the debentures outstanding under the said Act.

And whereas the amount of the whole ratable property of the City of Hamilton, according to the last revised assessment roll of the said city, being for the year one thousand eight hundred and ninety-three, is \$24,465,640.

Therefore the Municipal Council of the City of Hamilton hereby enacts as follows :

Issue of Debentures to \$2,350,000 authorized.

**1.** Debentures under the said Act, and for the purpose therein mentioned, to the extent of the sum of two million three hundred and fifty thousand dollars, are hereby authorized and directed to be issued, payable on the first day of April, 1934, bearing interest at four per cent. per annum.

Interest 4%.

**2.** The said debentures shall have coupons thereto attached for the payment of the interest, at the rate of four per cent. per annum, payable half-yearly, on the first days of April and October in each year.

Special rate.

**3.** For payment of the interest upon the debentures to be issued under this by-law, the Corporation of the City of Hamilton shall levy such annual sum over and above all other rates to be levied in each year as shall be sufficient to pay the interest at the rate of four per cent. per annum upon all of such debentures as may from time to time be outstanding and unpaid, and for payment of the principal of such debentures this Corporation shall levy in each year a sinking fund of one per cent. upon the principal sum payable upon such of said debentures as may from time to time be outstanding and unpaid.

Passed this eighth day of January in the year of our Lord one thousand eight hundred and ninety-four.

## 58 VICTORIA—CHAPTER 68.

### ONTARIO STATUTES.

*An Act to confirm By-law No. 755 of the City of Hamilton.*

*Assented to 16th April, 1895.*

Preamble.

**W**HEREAS the Toronto Hamilton and Buffalo Railway Company and the Municipal Corporation of the City of Hamilton have by their petitions prayed that an



Act may be passed to ratify, confirm and legalize a By-law of the Municipal Corporation of the City of Hamilton passed on the 29th day of October, A. D. 1894 after the same had been duly approved and assented to by the rate-payers of the said City of Hamilton entitled to vote thereon, and intituled "By-law No. 755 for granting a bonus of \$225,000 in aid of the Toronto Hamilton and Buffalo Railway Company" a copy of which said By-law is contained in Schedule "A" to this Act; and whereas no opposition has been given to the said Petition by any ratepayer of the said City of Hamilton; and whereas it is expedient to grant the prayer of the said Petition:

58 V. Chap. 68

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said By-law numbered 755 of the Municipal Corporation of the City of Hamilton intituled as in the preamble to this Act recited and which said By-law is set out in Schedule "A" to this Act, is hereby confirmed and declared to be legal, valid and binding to all intents and purposes, and the debentures issued or to be issued under the said By-law shall be and the same are hereby declared to be valid, legal and binding upon the Corporation of the said City of Hamilton and the ratepayers thereof, notwithstanding anything in any Act to the contrary.

By-law 755 granting a bonus of \$225,000 to Toronto Hamilton and Buffalo Railway confirmed.

2. No irregularity in the form of the debentures to be issued under the said By-law shall render the same invalid or illegal or be allowed as a defence to any action brought against the said Municipal Corporation for the recovery of the amount of said debentures and interest or any or either of them or any part thereof.

Irregularities in form not to invalidate debentures or by-law.

3. It is hereby declared that the said By-law No. 755 and all the conditions contained therein are and shall be binding on the Toronto, Hamilton and Buffalo Railway Company and all who may claim under them; and in the event of the lines now under construction or proposed to be built by the Toronto, Hamilton and Buffalo Railway Company from Hamilton to a point on the Canada Southern Railway at or near to or east of Welland or the connecting line from Hamilton through Brantford to Waterford or any part of the said lines coming under the control of the Grand Trunk Railway Company, the Canadian Pacific Railway Company or the South Ontario Pacific Railway Company, or any company, person or persons acting for or in the interest of either of the said Companies, or being operated as part of or in alliance with any of the said systems or ceasing to be operated so as to give a through connection with the Canada Southern Railway and over that railway with the Michigan Central system, or in the event of the Toronto, Hamilton and Buffalo Railway Com-

Conditions to be binding on Toronto Hamilton and Buffalo Railway Co.

59 V. Ch. 110

pany either directly as a company or indirectly through any other company, person or persons building or operating or forming a connection with any railway running from the City of Brantford or any point between Brantford and Hamilton to the City of Toronto or any point near Toronto, which railway does not pass through the City of Hamilton, the amount of any debentures which may have been issued and delivered to the Company, their successors or assigns under or by virtue of the grant made by said By-law No. 755 to the Toronto, Hamilton and Buffalo Railway Company shall be repaid to the Corporation of the City of Hamilton with interest, and the amount thereof shall form a first lien and charge prior to all other liens and charges upon the Toronto, Hamilton and Buffalo Railway and upon all the franchises and property of the said Company.

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### SCHEDULE "A."

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### BY-LAW No. 755.

*For granting a bonus of \$225,000 in aid of the Toronto, Hamilton and Buffalo Railway Company.*

*(Printed. See Page 291.)*

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## 59 VICTORIA—CHAPTER 110.

### ONTARIO STATUTES.

*An Act respecting the Toronto Hamilton and Buffalo Railway Company.*

*Assented to 7th April, 1896.*

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Preamble.

**W**HEREAS the Toronto, Hamilton and Buffalo Railway Company have by their petition prayed that an Act may be passed to authorize and empower the City of Hamilton to deliver to the said Railway Company, or their assigns, certain debentures to the amount of \$225,000 specified in By-law No. 755, passed by the Municipal Council

of the said City of Hamilton, on the 20th day of October, A. D. 1894, by way of bonus in aid of the undertaking of the Toronto, Hamilton and Buffalo Railway Company on the terms and conditions in said By-law set forth; and whereas on the 30th day of December, A. D. 1895, the Toronto, Hamilton and Buffalo Railway Company had substantially complied with the condition in the said By-law contained, which requires that before that date the said railway should be completed as a first-class road and actually opened for traffic and so operated as to give adequate and regular daily train service, both for passengers and freight, between the City of Hamilton and a point on the Canada Southern Railway at or near to or east of the Town of Welland and between Hamilton, Brantford and Waterford and a through connection with the Canada Southern Railway and over that Railway with the Michigan Central systems at or near to or east of Welland and at Waterford respectively, and the said railway has ever since been and is now being so operated; and whereas doubts have been suggested by certain ratepayers of said City as to the literal compliance by the said Company with the requirements of said condition before said 30th day of December, A. D. 1895, and objections have been made by them on that ground to the delivery of such debentures, and it is expedient to remove such doubts; and whereas it is expedient to grant the prayer of the said petition :

59 V. Ch. 110

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

1. It shall and may be lawful for the Corporation of the City of Hamilton and the said Corporation are hereby authorized and empowered to deliver to the Toronto, Hamilton and Buffalo Railway Company, their successors or assigns, the debentures to the amount of \$225,000 specified in the said By-law No. 755 of the Corporation of the said City of Hamilton in such amounts and at such times as the Council of said Corporation may see fit, upon their being satisfied that the Company have substantially complied with all other conditions contained in said By-law, the City Corporation reserving such amount of said debentures or of the proceeds thereof as they may deem proper to hold as security for all expenses payable by the Company to the said Corporation under the terms of said By-law and for claims against the said Company for compensation for damage to real property taken or injuriously affected by the exercise within the City of Hamilton of any of the powers granted for the railway or against the City Corporation for compensation, damages or costs, by reason or on account of the construction of the railway within the said City; the Corporation to have the right to pay any such claims and costs when agreed upon or legally ascertained, and to use so much of said debentures as may be necessary for that purpose.

City of Hamilton  
authorized to  
deliver certain  
debentures to  
Company.

## 60 V. Chap. 96

## 60 VICTORIA—CHAPTER 96.

## ONTARIO STATUTE.

*An Act to Amend the Act respecting the highway and bridges over the Desjardins Canal.*

*Assented to 13th April, 1897.*

Preamble.

WHEREAS by Chapter 73 of the Acts passed in the 37th year of Her Majesty's Reign, intituled "An Act respecting the Highway and Bridges over the Desjardins Canal," it was enacted that the highway and high level bridge leading over Burlington heights within the Corporate limits of the City of Hamilton, crossing the Desjardins canal by means of the said bridge, should, from and after the passing of the said Act, be permanently closed and cease to be a public highway for the space between lines respectively crossing the said highway at right angles thereto at the distance of one chain from the northerly and southerly termini of the said high level bridge, and that it should and might be lawful for the Hamilton and Milton Road Company to take down and remove the said high level bridge, and by fences, walls, or otherwise to close the said highway; and whereas it was also by the said Act declared that thereafter the duty and burthen of erecting, keeping and maintaining a safe and commodious bridge across the cut made through Burlington heights over the Desjardins canal with proper and efficient approaches thereto should be and were thereby imposed upon the Hamilton and Milton Road Company; and whereas in accordance with the terms of the said Act, the Hamilton and Milton Road Company named therein erected a bridge at a low level across the said cut made for the Desjardins canal and made proper and sufficient approaches thereto and have maintained such bridge up to the present time. And whereas by reason of the construction of the Toronto, Hamilton and Buffalo Railway across the roads leading to such low level Bridge, such roads have been rendered dangerous for public travel, and an order has been made by the Railway Committee of the Privy Council of Canada that the Toronto, Hamilton and Buffalo Railway Company shall build, at its own cost, a high level bridge over the Desjardins Canal for the purpose of connecting the highways leading over Burlington Heights at such high level, and thereby restore the highway closed by the Act hereinbefore recited; and it is further provided by the said Order that all the highways and toll roads of the said Hamilton and Milton Road Company on Burlington Heights, being the low level roads hereinbefore mentioned, are to be closed



as soon as the high level bridge and approaches are constructed as aforesaid; and whereas for the purpose of carrying out the provisions of the said Order the Corporation of the City of Hamilton have paid the sum of \$20,000 as their contribution to the amount of \$60,000 to be paid to the Hamilton and Milton Road Company in accordance with the terms of the said Order, and have also expended and are now expending amounts which will exceed \$5,000 for improving the roads on Burlington Heights within the City of Hamilton leading to the said high level Bridge, which sums are over and above the amounts provided for the ordinary annual expenditure of the City Corporation, and are for purposes of permanent value and benefit to the public and ought not to come out of the ordinary taxes for the current year; and whereas the Corporation of the City of Hamilton have, by their petition, prayed that an Act may be passed to alter and amend the said Chapter 73 of the Acts passed in the 37th year of Her Majesty's reign; and that provision may be made with respect to the said highways and bridges and the changes made in the relative obligations and duties of the Corporations affected by the said Act, and that power may be given to the said Corporation to pass a By-law for the issue of debentures extending over a period of twenty years and bearing four per cent. interest for an amount not exceeding \$25,000 to provide for the payments necessarily made by the said Corporation in carrying out the terms of the said order of the Railway Committee of the Privy Council of Canada; and whereas it is expedient to grant the prayer of the said petition.

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. After the payment of the said sum of \$60,000 to the Hamilton and Milton Road Company the highway and high level bridge leading over the Burlington Heights within the corporate limits of the City of Hamilton crossing the Desjardins Canal by means of the said bridge so far as the same have been closed by chapter 73 of the Acts passed in the thirty-seventh year of Her Majesty's reign, may be re-opened and re-established as a public highway.

Authority to  
re-open and  
re-establish.

2. Upon the completion of the high level bridge over the Desjardins Canal as directed by the said order of the Railway Committee of the Privy Council of Canada, and upon the high level roads over Burlington Heights and across the said bridge being completed and opened for traffic, the Hamilton and Milton Road Company shall be at liberty to take down and remove the present bridge erected by them on the low level over the Desjardins Canal, and to retain for their own use all the material therein, and shall be absolved from all further obligation or liability to erect keep or maintain a bridge over the

Hamilton and  
Milton Road Com-  
pany may take  
down present  
bridge.

60 V. Chap. 96 Desjardins Canal with proper and sufficient approaches thereto.

Hamilton may  
issue debentures  
for \$25,000.

3. The Council of the Corporation of the City of Hamilton are hereby authorized to pass a By-law for the issue of debentures extending over a period of twenty years and bearing four per cent interest for an amount not exceeding \$25,000 to provide for the payments necessarily made by the said Corporation in carrying out the terms of the said order of the Railway Committee of the Privy Council of Canada.

Rights of Grand  
Trunk Railway  
confirmed.

4. Nothing in this Act contained shall affect the rights or liabilities of the Grand Trunk Railway Company of Canada as they exist at and before the passing of this Act with regard to any of the matters in this Act referred to.

#### ORDER.

The Toronto, Hamilton and Buffalo Railway Company, hereinafter called the T. H. & B., having, in compliance with an order of the Railway Committee of the Privy Council of Canada dated the 9th day of June, 1897, and of a further order of said Committee, dated the 23rd day of June, 1897, built at its own cost a high level bridge over the Desjardins Canal for the purpose of connecting the highways along York Street in the City of Hamilton as shewn on the plan annexed to said Order, the said bridge being not less than 24 feet in width and the live load being class 1, clause 37 of the General Specification for bridges, 1896, Department of Railways and Canals, and such bridge having been built to the satisfaction of the Government Chief Engineer of Railways and Canals, and the T. H. & B. having also at its own cost, constructed the road approaches to the said high level bridge to the satisfaction of the Municipalities interested, viz: the City of Hamilton and the County of Wentworth, as signified by a draft order submitted by the T. H. & B. and approved of by the said Municipalities, and the said high level bridge and the high level road over Burlington Heights being now completed as aforesaid and open for public traffic, the said Committee orders and directs as follows:

1. The sum of \$60,000 which has been paid in to the credit of the said Committee by the Corporation of the City of Hamilton, the County of Wentworth and the T. H. & B. in sums of \$20,000 each, and the interest thereon and the further sum of \$200 paid in by the T. H. & B. to the credit of the said Committee for costs shall be applied and paid in the manner directed by the said Order of 9th June, 1897, upon the execution by the Hamilton & Milton Road Com-

pany of the conveyances and release mentioned in said Order and the delivery by the said Company of the title deeds and evidence of title in said Order referred to. 60 V. Chap. 87

2. The said high level bridge and high level road are hereby ordered and declared to be re-opened and re-established as a public highway, and the highways and toll roads shown between the points A and B, C and D, and E and F, on the plan attached to said Order of 9th June, 1897, are hereby ordered and declared to be closed and the right of the Hamilton and Milton Road Company to collect tolls on any portion of their roads is hereby ordered and declared to have ceased and become absolutely extinct.

(Signed)      ANDREW G. BLAIR,  
*Chairman.*

Ottawa, 6th July, 1897.

Certified true copy,

COLLINGWOOD SCHREIBER,  
*Secretary Railway Committee P. C.*

## 60 VICTORIA—CHAPTER 87.

### ONTARIO STATUTE.

*An Act to confirm an agreement between the Hamilton, Grimsby and Beamsville Electric Railway Company and the City of Hamilton.*

*Assented to 13th April, 1897.*

**W**HEREAS the Corporation of the City of Hamilton and the Hamilton, Grimsby and Beamsville Electric Railway Company have by their petitions represented that under By-laws 681 and 850 of the City of Hamilton debentures of the said Corporation to the amount of \$25,000 were delivered to the said Company as a bonus in aid of their railway, upon and subject to the terms of an agreement between the said Company and the said City Corporation, dated the 28th day of December, 1896, by which, amongst other things, it is provided that the amount of the said bonus shall be repaid to the said City Corporation with interest in the event of the Company, their successors or assigns failing or ceasing to operate the said railway in the manner set forth in the said agreement, and that the

Preamble.

## 60 V. Chap. 87

amount thereof shall form a first lien or charge upon the said railway and upon all the franchises and property of the Company, subject only to the prior lien or claim of the holders of the first mortgage bonds of the Company for \$100,000, and the said City Corporation and the said Company have prayed that an Act may be passed to confirm By-law number 850 of the City of Hamilton hereinbefore mentioned and the agreement made between the said Company and the said City Corporation in accordance therewith, and the lien granted or created upon the said railway under the terms of the said agreement; and whereas it is expedient to grant the prayer of the said petitions;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

By-law 850 of the City of Hamilton confirmed.

1. The By-law of the Corporation of the City of Hamilton passed on the 20th day of July, 1896, intituled "By-law No. 850 relating to the Hamilton, Grimsby and Beamsville Railway Company," and which By-law is set out in Schedule "A" to this Act, is hereby confirmed and declared to be legal and valid, and the debentures issued thereunder are hereby declared to be valid and to be binding upon the Corporation of the City of Hamilton.

Agreement between City and Company of 28th December 1896, confirmed.

2. The Agreement made between the Hamilton, Grimsby and Beamsville Electric Railway Company and the Corporation of the City of Hamilton dated the 28th day of December, 1896, and set out in Schedule "B" to this Act, is hereby declared to be valid and to be binding upon the parties thereto, their successors and assigns and the lien or charge thereby granted or created or intended so to be upon the said railway and upon all the franchises and property of the said Company, is hereby declared to be valid and to be binding upon the said Company, their successors and assigns, subject only to the prior lien or claim of the holders of the first mortgage bonds of the Company for \$100,000 and to any other liens existing upon said railway at the date of said agreement.

Calling in first issue of bonds and substituting new issue,

3. If the said Company shall desire at any time to call in or pay off either before or after maturity the whole or any portion of the said first mortgage bonds of \$100,000, which form a first lien or charge upon the Hamilton, Grimsby and Beamsville Electric Railway Company and upon all the franchises and property of the said Company and to issue other bonds for the sum of \$100,000 or a less amount, the said Company may issue its first mortgage bonds in lieu of the bonds so called in or paid off to such an amount that the whole outstanding first mortgage bonds shall not exceed \$100,000, which shall form a first lien or charge upon the said railway and upon all the franchises and pro-



perty of the said Company, and the said lien or charge granted or created by the said Agreement of the 28th day of December, 1896, shall be subject only to the lien or charge of the holders (or their trustees) of such first mortgage bonds of the said Company for \$100,000 and to any other liens existing upon the said railway or the franchises and property of the said Company at the date of the said Agreement of the 28th December, 1896.

61 V. Chap. 68

4. It shall and may be lawful for the Corporation of the City of Hamilton and the said Company to enter into an agreement whereby the said Company may open up a highway within the Township of Barton leading to the limits of the said City, or whereby the right-of-way secured or to be secured by the said Company (or a part thereof) may be used by the public as a highway, and to perform any such agreements and all agreements heretofore made between the said City Corporation and the said Company for allowing the use of any portion of the Company's lands for a public highway are hereby declared to be legal and valid.

Agreement as to opening up of highway in Township of Barton.

#### SCHEDULE "A." SECTION I.

*By-law No. 850, relating to the Hamilton, Grimsby and Beamsville Railway Company.*

#### SCHEDULE "B." SECTION 2.

*Agreement.*

*(Printed, see Appendix, Part two. Page 273 )*

### 61 VICTORIA—CHAPTER 68.

ONTARIO STATUTES.

*An Act respecting the Cataract Power Company of Hamilton, (Limited.)*

*Assented to 17th January, 1898.*

WHEREAS the said Company has by petition prayed that an Act may be passed confirming the letters patent of incorporation, and the supplementary letters patent of the said Company as well as the several by-laws

Preamble.

**61 V. Chap. 68** of Municipal Corporations relating to the operations or proposed operations of the said Company, and agreements with such Municipal Corporations set forth in the Schedule to this Act; and whereas the said Company in and by the said petition has asked for power to extend their canal or raceway to a point on the Welland River, at or near the Village of Port Robinson, and that certain powers under the Railway Act of Ontario may be given to the Company; and whereas the said Company further ask by the said petition that power may be given to increase the capital stock of the Company; and whereas it is expedient to grant the prayer of the said petition:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Letters patent confirmed.

**1.** The letters patent of incorporation of the said Company, bearing date the 9th day of July, 1896, and the supplementary letters patent bearing date the sixth day of May, 1897, are hereby ratified and confirmed.

Municipal By laws confirmed.

**2.** The several by-laws and agreements of the Municipal Corporations of the City of Hamilton, the Townships of Barton, Saltfleet, North Grimsby, Clinton, Louth, Crantham and Thorold, and the Villages of Grimsby and Beamsville, set forth in the Schedule annexed to this Act, are hereby ratified, confirmed and declared to be in all respects legal and binding in the same manner and as fully and effectually as if embodied in and forming part of this Act.

Location of works of Company.

**3.** The said Company may construct, equip, maintain and operate a canal and hydraulic raceway from a point at or near Allanburg to some point on the Welland River at or within two miles of the Village of Port Robinson, as an extension of their canal or raceway from the Niagara Excarpment near the waterfall, known as Decew's falls, in the Township of Grantham, with all such works, dams, docks, sluices, conduits and accessories as may be necessary; provided, however, that nothing herein contained shall permit of any power hereunder being exercised in such a way as to interfere with the navigation of any river or with the Welland Canal, without the consent and authority of the Governor-General-in-Council of the Dominion of Canada in that behalf, but any application to the Governor-General-in-Council under this section shall only be made after notice to the Corporations of the City of St. Catharines and the County of Welland.

Aqueduct over Beaver Dam Creek,

**4.** The Company shall for the purpose of carrying and conveying its water supply over the Beaver Dam Creek to the penstock and flume at or near the Company's power house or station, build and construct an aqueduct across the

valley of the Beaver Dam Creek, and such aqueduct shall be so situated as not to be on or in the land, water or property at present used by or in connection with the Waterworks of the City of St. Catharines.

61 V. Chap. 68

5. The said aqueduct and the raceway leading thereto from the Company's source of water supply, and the raceway conducting the water from the said aqueduct shall be so constructed and thereafter constantly maintained by the Company in such condition that no water flowing through or contained in the same can escape therefrom or mingle with the water of the said Beaver Dam Creek, its branches or affluents or with the water flowing from the old Welland Canal through Higgins' flume or elsewhere into the said Beaver Dam Creek. And such condition of construction and maintenance of the raceways and aqueduct aforesaid shall apply to any other raceways or aqueducts which may be constructed at any time hereafter by the Company or its successors; provided that such aqueduct or aqueducts shall be constructed in such manner and in such position as not in any way to obstruct the free flow of water in or through the said Beaver Dam Creek, its branches or affluents.

Construction of  
Aqueduct and,  
raceway.

6. The said Company shall not nor shall its successors at any time by means of a dam or by any other means obstruct the free flow of the waters of the said Beaver Dam Creek to the reservoirs of the St. Catharines waterworks or impede the current of the said creek or otherwise impair in any way the quality of the water in the said creek at any point above the said reservoirs.

Beaver Dam Creek  
not to be  
obstructed.

7. The canal, raceways and other works of the said Company shall be so constructed and at all times shall be so maintained that none of the water of the Welland River or of its branches or affluents shall be introduced into the waters of the said Beaver Dam Creek or of its branches or affluents which supply waters to the reservoirs of the said St. Catharines Waterworks, or be permitted to mingle with the water flowing into the said reservoirs or either of them.

Water from  
Welland River  
not to be intro-  
duced into Water  
of Beaver Creek.

8. Nothing in this Act contained shall be construed to authorize any interference with the property of the Waterworks of the City of St. Catharines or with any of the rights and powers of the Waterworks Commission of the Corporation of the said City of St. Catharines as set out in chapter 91 of the Statutes of 1857 of the late Province of Canada authorizing the construction of the said waterworks in the amendments to the said Act.

Water Works of  
St. Catharines not  
to be interfered  
with.

9. The said Company shall not be liable for any merely nominal or trifling default or want of compliance with any of the provisions of the five preceding sections so

Technical default  
not to affect  
Company.

61 V. Chap. 68 long as the said provisions shall have been substantially complied with and fulfilled.

Application of  
provisions Rev.  
Stat. C. 207.

10. Sections 13 to 20, both inclusive, of "The Railway Act of Ontario," in so far as applicable and when not inconsistent with this Act or the powers conferred by the letters patent of incorporation of the Company, shall apply to the Company and its undertaking; and (a) whenever in the said sections the word "Company" occurs, it shall mean the Company referred to in this Act; (b) whenever in the said sections the word "Railway" occurs, it shall, unless the context otherwise requires, in so far as it applies to the provisions of this Act or the Company mean the canal hydraulic raceway or other works authorized to be constructed by this Act or the Charter of Incorporation of the Company; and (c) whenever in the said sections the word "Land" occurs it shall include any privilege or easement required by the Company for constructing or operating the works authorized by this Act or the Charter of Incorporation of the Company on, over or along any land without the necessity of acquiring a title in fee simple.

Increase of  
Capital Stock.

11. The said Company shall have power to increase its capital stock to an amount not exceeding in the whole \$1,000,000 by by-law or by-laws of the Company in that behalf; but no such by-law shall take effect unless and until approved by resolution of a majority of the shareholders present at a special general meeting of the shareholders called for the purpose of considering the same.

Powers of Com-  
pany not restrict-  
ed by Act.

12. Nothing in this Act contained shall be deemed to take away or in any way impair or diminish any of the powers of the Company under the original Charter of incorporation or the supplementary letters patent hereinbefore referred to or under any general Act or Acts.

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## SCHEDULE.

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### BY-LAW No. 893.

*A By law respecting the Cataract Power Company of Hamilton (Limited); and Agreement, made the 31st day of May, 1897.*

*(Printed, see Appendix, Part one. Page 254.)*



## BY-LAW No. 916.

## BY-LAW 69.

*To amend By-law 893, respecting the Cataract Power Company of Hamilton (Limited); and Agreement made the 29th day of December, 1897.*

*(Printed, see Appendix, Part one. Page 263.)*

## BY-LAW No. 69.

*Respecting the Revised By-laws of the City of Hamilton.*

THE Council of the Corporation of the City of Hamilton enacts as follows:—

1. The By-laws numbered one to sixty-eight inclusive, which are hereunto annexed and are hereinafter called the Revised By-laws, are hereby enacted as by-laws of this Corporation to take effect upon and from the passing hereof.

Revised By-laws,  
what to be  
deemed.

2. All By-laws and parts of By-laws inconsistent with said Revised By-laws are hereby repealed and all other By-laws or parts of By-laws consistent therewith, but which are not in the same terms as the said Revised By-laws are hereby so amended or modified as to conform to the terms of such Revised By-laws.

Repeal of By-laws  
or parts thereof  
inconsistent with  
Revised By-laws.

3. No repeal or amendment hereby made shall revive any By-laws or parts of By-laws repealed or amended by the By-laws or parts of By-laws which are hereby repealed or amended, nor shall any repeal or amendment hereby made affect any matter or thing anterior thereto, nor any penalty, forfeiture or liability incurred before the time of such repeal or amendment, or any proceedings for enforcing the same had, done, complete or pending at the time of such repeal or amendment.

Repeal or amend-  
ment not to re-  
vive any By-law.

4. The various provisions in the Revised By-laws corresponding to and substituted for the provisions of the By-laws and parts of By-laws so repealed, shall, where they are the same in effect as those of the By-laws and parts of By-laws so repealed, be held to operate retrospectively as well as prospectively, and to have been passed upon the days respectively upon which the By-laws and parts of By-laws so repealed came into effect.

How revised By-  
laws are to  
operate.

**BY-LAW 69.**

If on any point provisions of Revised By-laws are not the same in effect as those for which they are substituted, how to operate.

5. If upon any point the provisions of the said Revised By-laws are not in effect the same as those of the By-laws and parts of By-laws for which they are substituted, then as respects all transactions, matters and things, subsequent to the time when the said Revised By-laws take effect, the provisions contained in them shall prevail, but as respects all transactions, matters and things anterior to the said time, the provisions of the said repealed By-laws and parts of By-laws shall prevail.

Marginal notes and headings to form no part of Revised By-laws

6. The marginal notes and headings in the body of the said Revised By-laws shall be held to form no part of the said By-laws but to be inserted for convenience of reference only.

Sections 7 to 12 of The Interpretation Act of Ontario to apply to Revised By-laws and all other By-laws.

7. All the provisions contained in sections 7 to 12 inclusive of "The Interpretation Act" of the Province of Ontario are hereby enacted as part of the said Revised By-laws and of all other By-laws of this Corporation, so far as applicable thereto, and all of the said Revised By-laws and all other By-laws of this Council, now in force or hereafter to be passed, shall be read and construed as if the sections of the said Act, which might be made applicable thereto, had been incorporated in the said By-laws respectively.

Passed 11th day of September, A. D. 1899.

T. BEASLEY,  
*City Clerk.*

J. V. TEETZEL,  
*Mayor.*

## TABLE.

*By-Laws of the City of Hamilton from date of its Incorporation in 1847 to 31st day of July 1899.*

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
FIRST SERIES.				
1	Dogs Running at Large, to prevent.	1st February, 1847.	Repealed.	
2	Victualling Houses, to license.	1st February, 1847.	"	
3	Ice on the Bay, to regulate cutting.	5th February, 1847.	Effete.	
4	Cattle, &c., Running at Large, to prevent	15th February, 1847.	Repealed.	
5	Extinction and Prevention of Fires, to make provision for the	24th February, 1847.	"	
6	Chimney Viewer, to remunerate.	24th February, 1847.	Effete.	
7	Vice and Immorality in the City, to prevent the spread of.	24th February, 1847.	"	
8	Ball Alleys, to license and regulate.	15th March, 1847.	Repealed.	
9	Order and Good Government of the City, to provide for	31st March, 1847.	"	
10	Assessment, to fix a certain rate of.	31st March, 1847.	Effete.	
11	Treasurer, to define the duties of.	31st March, 1847.	Repealed.	
12	Markets, to regulate the public.	7th June, 1847.	"	
13	Pound, to establish a.	25th May, 1847.	"	
14	Health, to establish a Board of.	7th June, 1847.	"	
15	Wooden Buildings, to prevent erection of.	7th June, 1847.	"	
16	Health, Board of.	14th June, 1847.	"	
17	Wooden Buildings, to prevent erection of.	21st June, 1847.	"	
18	Livery Stables, to license.	19th July, 1847.	"	
19	Taxes, to fix a time for payment of.	23rd August, 1847.	Effete.	
20	Buildings, to regulate the erection of.	6th September, 1847.	Repealed.	
21	Streets and Sidewalks, to authorize removal of obstructions on.	4th October, 1847.	"	
22	Officers of City, protection of.	6th December, 1847.	Effete.	
23	Firewood, to regulate the sale of.	6th December, 1847.	Repealed.	
24	Board of Health B. L. 14 and 16, to repeal.	7th February, 1848.	Effete.	
25	Board of Health and City Physician, to appoint.	21st February, 1848.	Effete.	
26	Firewood, Shingles and Lumber, to regulate sale of.	27th March, 1848.	Repealed.	
27	Fire Limits, to repeal B. L. 15 and 17, and to establish	27th March, 1848.	"	
28	Assessment, to fix a certain rate of.	10th April, 1848.	Effete.	
29	Wood Market, to appoint a.	19th April, 1848.	Repealed.	
30	Markets, to amend B. L. 12 on.	25th April, 1848.	"	
31	Mortality, to provide for keeping bills of.	12th June, 1848.	Effete.	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
32	Bread, to regulate the sale and weight of.....	26th June, 1848.	Repealed.	
33	George and Hannah Streets, to alter.....	17th July, 1848.	In force, not printed	
34	Taxes, to fix a time for payment of.....	7th August, 1848.	Effete.	
35	Assessment for School Purposes, to levy.....	28th August, 1848.		
36	Hess Street, to establish limits of part of.....	18th September, 1848.	In force, not printed	
37	Victoria Avenue, to extend.....	23rd October, 1848.		
38	Vaults, Privies, Cesspools, to provide for.....	4th December, 1848.	Repealed.	
39	Fire Brigade, to amend B. L. 5 on.....	21st December, 1848.		
40	Assessment, to fix a certain rate of.....	6th March, 1849.	Effete.	
41	Ornamental Trees, to regulate the planting of.....	7th May, 1849.	Repealed.	
42	Vaults, Privies, Cesspools, to amend B. L. 38 relating to.....	7th May, 1849.		
43	Hard Labor, to impose the infliction of.....	18th June, 1849.	Effete.	
44	Public Exhibition, to regulate the licensing of.....	9th July, 1849.	Repealed.	
45	Assessment for School Purposes, to fix rate of.....	13th August, 1849.	Effete.	
46	Taxes, to fix a time for payment of.....	17th September, 1849.		
47	School Sections, to alter.....	21st December, 1849.		
48	Inns, Taverns, Etc., to regulate.....	18th February, 1850.	Repealed.	
49	Debentures for General Purposes, to authorize issue of.....	20th March, 1850.	Effete.	
50	Debentures for Gradual Extinction of Debt, to issue.....	20th March, 1850.		
51	Stock in G. W. R. to authorize subscription for.....	29th August, 1850.		
52	Cabs, Carts, &c., to license and regulate.....	14th October, 1850.		
53	Assessment for 1850, to fix rate of.....	16th October, 1850.		
54	Assessment for School Purposes for 1850, to levy.....	13th November, 1850.		
55	Voters, to regulate the registration of.....	27th November, 1850.		
56	Cabs, &c., to amend B. L. 52 on.....	11th December, 1850.		
57	Inns, Taverns, &c., to repeal B. L. 48 and to regulate.....	12th February, 1851.	Repealed.	
58	Public Houses, to prescribe the duties of inspector of.....	12th February, 1851.	Effete.	
59	Fire Brigade, to amend B. L. 5 on.....	16th April, 1851.	Repealed.	
60	Firewood, to amend B. L. 26 on sale of.....	30th April, 1851.		
61	Debentures for erection of Central School, to issue.....	28th May, 1851.	Effete.	
62	Assessment for 1851, to fix rate of.....	29th October, 1851.		
63	Assessment for School Purposes for 1851, to levy.....	29th October, 1851.		
64	Order and Good Government, to amend B. L. 9 and make provision for.....	12th Nov., 1851.	Repealed.	
65	By-law 18 on Livery Stables, to repeal.....	26th Nov., 1851.	Effete.	
66	Taverns, to amend section 8 of B. L. 57 on.....	31st March, 1852.	Repealed.	
67	Fire Brigade, to provide for organization and support of.....	6th May, 1852.		
68	Markets and Market Fees, to regulate.....	6th May, 1852.		
69	Wood and Shingle Markets, to regulate.....	6th May, 1852.		



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
70	Police Force, to regulate.	6th May, 1852.	Effete.	
71	Streets and Sidewalks, on	31st May, 1852.	Repealed.	
72	Nuisances, on	31st May, 1852.	"	
73	G. W. Stock, to amend B. L. 51 relating to.	23rd June, 1852.	Effete.	
74	Assessment for 1852, to fix rate of	20th August, 1852.	"	
75	Assessment for School Purposes for 1852, to levy	24th August, 1852.	"	
76	Cabs, to license and regulate.	24th August, 1852.	"	
77	Pound and Pound-keeper, to consolidate By-laws on	1st September, 1852.	Repealed.	
78	Drains, Pavements, &c., to encourage the making of	29th Sept., 1852.	Effete.	
79	Inns, Taverns, &c., on	18th October, 1852.	Repealed.	
80	Hospital and House of Industry, on	27th October, 1852.	"	
81	Ball Alleys, Shows, &c., to regulate	10th Nov., 1852.	"	
82	Money for Public Improvements, to raise a sum of	24th Nov., 1852.	"	
83	Alley-way, to open	24th Nov., 1852.	In force, not printed	
84	Fire Limits to extend	8th December, 1852.	Repealed.	
85	Weights and Measures, on	22nd December, 1852.	"	
86	Inns, Taverns, &c., to amend B. L. 79 on	5th January, 1853.	"	
87	Public Building on the Gore, to erect.	7th March, 1853.	"	
88	Wood and Shingles to amend B. L. 69 on sale of	24th March, 1853.	Effete.	
89	Public Building on the Gore, to repeal B. L. 87 for erection of	4th April, 1853.	Repealed.	
90	Wood and Shingles, sale of.	1st June, 1853.	"	
91	Interment of the dead, to regulate.	1st June, 1853.	Effete.	
92	Debentures to complete Central School, to issue	18th June, 1853.	Repealed.	
93	Sewers, on construction of.	4th July, 1853.	Effete.	
94	By-law 68, to repeal part of B. L. 12 and Clause 11 of	4th July, 1853.	"	
95	Debentures, to issue	4th July, 1853.	"	
96	Public Improvements, to repeal B. L. 82 on	22nd August, 1853.	Repealed.	
97	G. W. R. Stock, to sell	19th Sept., 1853.	Effete.	
98	Assessment for 1853, to fix a rate of	3rd October, 1853.	"	
99	School Purposes for 1853, to levy an assessment for	17th October, 1853.	Repealed.	
100	Liquor, to regulate the sale of	17th October, 1853.	Effete.	
101	Coal, to regulate the sale of.	25th Nov., 1853.	"	
102	Taxes raised under By-law 51, application of	5th December, 1853.	Repealed.	
103	Galt & Guelph Railway, to subscribe for stock in	6th February, 1854.	"	
104	Cabs, &c., to amend B. L. 52 on	3rd April, 1854.	Effete.	
105	Auctioneers, Hawkers, &c., to license.	4th April, 1854.	"	
106	Auctioneers, &c., to amend B. L. 105 on			
107	Board of Works, to establish.			

By-law No.	TITLE.	WHEN PASSED.	REMARKS.
108	G. W. R., to provide for representation at meetings of	8th May, 1854.	Effete
109	Market Fees, to fix .....	10th July, 1854.	Repealed.
110	Water, to supply City with .....	10th August, 1854.	Effete.
111	Assessment for 1854, to fix a rate of .....	10th August, 1854.	"
112	Assessment for School Purposes for 1854, to levy .....	10th August, 1854.	"
113	Collector of Taxes, to regulate taking security from .....	16th October, 1854.	Repealed.
114	Fire Brigade, to amend B. L. 67 on .....	19th March, 1855.	"
115	Vice and Immorality, to amend B. L. 7 on .....	17th May, 1855.	"
116	Cabs, &c., to amend B. L. 52 on .....	17th May, 1855.	"
117	Local Taxation on .....	1st June, 1855.	"
118	Fire Brigade, to amend B. L. 67 on .....	9th July, 1855.	Effete.
119	G. W. R. Stock, to repeal B. L. 97 for sale of .....	23rd July, 1855.	Repealed.
120	Assessment for School Purposes for 1855, to levy a rate of .....	26th July, 1855.	Effete.
121	Assessment for 1855, to fix a rate of .....	26th July, 1855.	"
122	Hamilton & Port Dover R. R., to subscribe for shares in .....	26th July, 1855.	"
123	Sewer, to extend .....	6th August, 1855.	Repealed.
124	Galt & Guelph Railway, to subscribe for stock in .....	7th August, 1855.	Effete.
125	Markets and Market Fees, to amend B. L. 68 on .....	20th August, 1855.	Repealed.
126	£50,000, to borrow .....	22nd August, 1855.	Effete.
127	Markets, to consolidate B. L. relating to .....	12th May, 1856.	Repealed.
128	Assessment for 1856, to fix a rate of .....	7th July, 1856.	Effete.
129	Assessment for School Purposes for 1856, to levy a rate of .....	7th July, 1856.	"
130	Bread, to amend B. L. 32 on sale of .....	21st July, 1856.	"
	Streets and Sidewalks, to amend B. L. 71 on .....	21st July, 1856.	"
	Nuisances, to amend B. L. 72 on .....	21st July, 1856.	"
	Pound and Pound-keeper, to amend B. L. 77 on .....	21st July, 1856.	"
	Inns, Taverns, &c., to amend B. L. 86 on .....	21st July, 1856.	"
131	Water Works, on construction of .....	4th August, 1856.	In force, not printed
132	Sewer Extension, to repeal part of B. L. 123 on .....	4th August, 1856.	Repealed.
133	Hamilton & Port Dover Railway, to subscribe for stock in .....	1st September, 1856.	Effete.
134	Galt & Guelph Railway, to subscribe for additional stock in .....	1st September, 1856.	"
135	Mary Street, to widen .....	15th Sept., 1856.	In force, not printed
136	Lime, to regulate the sale of .....	29th Sept., 1856.	Repealed.
137	By-law 130, to amend .....	29th Sept., 1856.	"
138	Hamilton & Port Dover Railway, to amend B. L. 122 on .....	6th October, 1856.	Effete.
139	Park Street, to widen part of .....	27th October, 1856.	In force, not printed
140	Debentures, respecting the negotiation of certain .....	17th Nov., 1856.	Effete.
141	Debentures, respecting the negotiation of certain .....	6th December, 1856.	"

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
142	Fire Brigade, to amend B. L. 67 and 114 on .....	8th December, 1856.	Repealed.	
143	G. W. R. Depot, to close streets in .....	12th January, 1857.	In force, not printed	
144	Hamilton & Port Dover Railway, to amend B. L. 138 on ..	26th January, 1857.	Effete.	
145	Debentures, to issue certain .....	2nd February, 1857.	"	
146	Taverns, Inns, &c., to regulate mode of licensing .....	18th March, 1857.	"	
147	Galt & Guelph Railway, to issue debentures for payment of stock in ..	18th May, 1857.	"	
148	Taverns, Inns, &c., to amend B. L. 146 on .....	28th May, 1857.	"	
149	Water Works, to issue debentures for .....	8th June, 1857.	"	
150	Certain Streets, to extend .....	22nd June, 1857.	Repealed.	
151	Fire Limits, on .....	9th July, 1857.	Effete.	
152	Preston & Berlin & Galt & Guelph Railway, to issue debentures for stock in ..	3rd August, 1857.	"	
153	Debentures, to issue certain .....	17th August, 1857.	"	
154	By-law 150, to repeal .....	21st August, 1857.	"	
155	Assessment for School Purposes for 1857, to levy an ..	21st August, 1857.	"	
156	Assessment for 1857, to fix rate of .....	21st August, 1857.	"	
157	Fire Brigade, to consolidate B. L. on .....	12th October, 1857.	Repealed.	
158	Inns, Taverns, &c., to amend B. L. 146 and 148 on .....	22nd February, 1858.	Effete.	
159	Sewers, relating to the common .....	22nd March, 1858.	Repealed.	
160	Firewood, to consolidate B. L. on sale of .....	25th May, 1858.	"	
161	Assessment for 1858, to fix rate of .....	4th August, 1858.	Effete.	
162	Fire Brigade, to amend B. L. 157 on .....	3rd August, 1858.	Repealed.	
163	Fires, to prevent .....	13th Sept., 1858.	Effete.	
164	Sewers, to amend B. L. 159 on .....	18th Sept., 1858.	Repealed.	
165	Grain Market, to fix a place for .....	25th October, 1858.	"	
166	Water Commissioners, to fix salary of .....	6th December, 1858.	Effete.	
167	Returning Officers for 1859, to appoint .....	6th December, 1858.	"	
168	Inns and Taverns, for licensing .....	9th February, 1859.	Repealed.	
169	Fire Brigade, on .....	9th February, 1859.	"	
170	Debentures, to issue .....	14th February, 1859.	Effete.	
171	Fire Brigade, to amend B. L. 157 and 162 on .....	14th February, 1859.	Repealed.	
172	Hamilton & Port Dover Railway .....	14th March, 1859.	Effete.	
173	Board of Health, on .....	28th March, 1859.	"	
174	Pound, on .....	25th April, 1859.	Repealed.	
175	Sewers, to amend B. L. 159 on .....	2nd May, 1859.	"	
176	Debentures, to amend B. L. 170 on issue of .....	16th May, 1859.	Effete.	
177	Markets, for regulating .....	25th May, 1859.	Repealed.	
178	Inns, Taverns, &c., to amend B. L. 168 on .....	18th July, 1859.	"	
179	Markets, to amend B. L. 177 on .....	25th July, 1859.	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
180	Pound and Pound-keeper, to amend B. L. relating to.....	1st August, 1859.	Repealed.	
181	Assessment for 1859, to fix rate of.....	1st August, 1859.	Effete.	
182	Debtures, to repeal B. L. 170 and 176 on issue of.....	29th August, 1859.	"	
183	Markets, to amend B. L. 177 on.....	11th October, 1859.	Repealed.	
184	Pound and Pound-keeper, relating to.....	31st October, 1859.	"	
185	Markets, to amend B. L. 177 on.....	5th December, 1859.	"	
186	Returning Officers for 1860, to appoint.....	5th December, 1859.	Effete.	
187	Crystal Palace, respecting.....	14th May, 1860.	"	
188	Markets, on.....	4th June, 1860.	Repealed.	
189	Detentures, to issue on credit of Non-resident Land Fund.....	4th June, 1860.	Effete.	
190	Certain Streets on Crystal Palace Property, to close.....	9th July, 1860.	"	
191	Fire Brigade, to amend B. L. 157, 162 and 169 on.....	30th July, 1860.	In force, not printed	
192	Inns, Taverns, &c, to amend B. L. 168 on.....	6th August, 1860.	Repealed.	
193	Sewers, on.....	6th August, 1860.	"	
194	Fire Brigade, to amend B. L. 191 on.....	20th August, 1860.	"	
195	Markets, to amend B. L. 183 and 188 on.....	11th Sept., 1860.	"	
196	Assessment for 1860, to fix rate of.....	1st October, 1860.	Effete.	
197	Assessment for 1860, to amend B. L. 196 on.....	8th October, 1860.	"	
198	Returning Officers for 1861, to appoint.....	10th December, 1860.	"	
199	License Duties to Provincial Government, to pay certain.....	3rd January, 1861.	"	
200	Inns, Taverns, &c, to amend B. L. 168 on and to repeal B. L. 192 on.....	6th February, 1861.	Repealed.	
201	Markets, to amend B. L. 188 on.....	13th May, 1861.	"	
202	Water Rates, respecting.....	4th July, 1861.	"	
203	Inns, Taverns, &c, to amend B. L. 168 and 200 on.....	24th July 1861.	"	
204	Assessment for 1861, to fix rate of.....	2nd September, 1861.	Effete.	
205	Curling Shed, to exempt from fire limits the.....	30th Sept., 1861.	"	
206	Markets, to consolidate B. L. on.....	7th October, 1861.	"	
207	Hospital, relating to.....	2nd December, 1861.	Repealed.	
208	Crystal Palace, relating to the.....	9th December, 1861.	Effete.	
209	Returning Officers for 1862, to appoint.....	2nd December, 1861.	Repealed.	
210	Crystal Palace, to repeal B. L. 208 on.....	9th December, 1861.	Effete.	
211	Liquor, on sale of.....	3rd March 1862.	"	
212	Firewood, Shingles, &c, to amend B. L. 160 on.....	19th March, 1862.	Repealed.	
213	Firewood, Shingles, &c, to repeal B. L. 212 on.....	26th May, 1862.	"	
214	Markets, to amend B. L. 206 on.....	30th Sept., 1862.	"	
215	Assessment for 1862, to fix rate of.....	8th December, 1862.	Effete.	
216	Returning Officers, to appoint.....	8th December, 1862.	"	
217	Billiard Tables, &c., to repeal B. L. 163, 192, 200, 203.....	30th March, 1863.	Repealed.	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
218	Cabs, relating to .....	13th April, 1863.	Effete.	
219	Carts, relating to .....	11th May, 1863.	"	
220	Street Watering, relating to .....	6th July, 1863.	Repealed.	
221	Licenses, &c., to amend B. L. 217 on .....	6th July, 1863.	Effete.	
222	Rolling Mills, to exempt from taxation for 5 years .....	20th July, 1863.	Repealed.	
223	Markets, to amend B. L. 206 on .....	1st October, 1863.	"	
224	Hog Market, to establish .....	9th November, 1863.	"	
225	Licenses &c., to amend B. L. 217 on .....	9th November, 1863.	Effete.	
226	Assessment for 1833, to fix rate of .....	25th Nov., 1863.	"	
227	Returning Officers for 1864, to appoint .....	7th December, 1863.	Repealed.	
228	Assessors, to appoint .....	1st February, 1864.	Effete.	
229	Vaccination, to provide for .....	17th February, 1864.	Repealed.	
230	Officers' Salaries, &c., on .....	24th February, 1864.	Effete.	
231	Assessment, to amend B. L. 215, 226 on .....	14th July, 1864.	Repealed.	
232	Collector of Taxes, to appoint .....	18th July, 1864.	"	
233	Victualling Houses, to regulate .....	29th August, 1864.	"	
234	Debitures under Act of 1864, to issue .....	29th August, 1864.	"	
235	Debitures under Act of 1864, to authorize T. C. Street to countersign. ....	10th Sept., 1864.	Repealed.	
236	Markets, to amend B. L. 206 on .....	10th October, 1864.	"	
237	Wooden Buildings, to amend B. L. 17 on .....	10th October, 1864.	Effete.	
238	Assessment for 1864, to fix rate of .....	5th December, 1864.	"	
239	Returning Officers for 1865, to appoint .....	5th December, 1864.	"	
240	Cabs, &c., to amend B. L. 218 on .....	30th January, 1865.	Repealed.	
241	Cattle Market, to establish .....	27th February, 1865.	"	
242	Officers' Salaries, &c., to amend B. L. 230 on .....	13th March, 1865.	"	
243	Water Rates, relating to .....	15th May, 1865.	Effete.	
244	Assessment for 1865, to fix rate of .....	17th July, 1865.	"	
245	Returning Officers for 1866, to appoint .....	4th December, 1865.	Repealed.	
246	Markets, to amend B. L. 206 on .....	4th December, 1865.	Effete.	
247	Auditors, payment of .....	4th December, 1865.	Repealed.	
248	Auctioneers, Hawkers, &c., relating to .....	18th Dec., 1865.	"	
249	Officers' Salaries, &c., to amend B. L. 242 on .....	12th February, 1866.	Effete.	
250	Cabs, &c., to amend B. L. 218 on .....	26th February, 1866.	"	
251	Board of Health, to amend B. L. 173 on .....	23rd February, 1866.	Repealed.	
252	Fire Limits, to amend B. L. 151 on .....	23rd April, 1866.	"	
253	Markets, to amend B. L. 214 on .....	30th May, 1866.	Repealed.	
254	Assessment for 1866, to fix rate of .....	27th August, 1866.	Effete.	
255	Markets, to consolidate By-laws on .....	10th Sept., 1866.	Repealed.	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
256	Returning Officers for 1867, to appoint.	3rd December, 1866.	Repealed.	
257	Snow, removal of.	17th December, 1866.	"	
258	Markets, to amend B. L. 255 on.	31st December, 1866.	"	
259	Markets, to amend B. L. 255 on.	31st December, 1866.	"	
260	To repeal Bylaws 230, 242, 249, and define duties of officers.	4th March, 1867.	Effete.	
261	Auditors, to amend B. L. 247 on.	1867.	"	
262	Assessors, to repeal B. L. 228 on.	8th July, 1867.	"	
263	An assessment for 1867, to fix rate of.	5th August, 1867.	Repealed.	
264	Fire Brigade, to consolidate By-laws on.	19th August, 1867.	"	
265	Water Works, relating to and to repeal B. L. 243.	16th Sept., 1867.	"	
266	Markets, to amend B. L. 249, 255 on.	30th Sept., 1867.	"	
267	Water Works, to amend B. L. 265 on.	11th Nov., 1867.	"	
268	Returning Officers, to repeal B. L. 256 on.	25th Nov., 1867.	Effete.	
269	Streets and Sidewalks, to amend B. L. 71 on.	9th December, 1867.	Repealed.	
270	Licenses, to amend B. L. 217 on.	17th February, 1868.	"	
271	Markets, to amend B. L. 266 on.	17th February, 1868.	"	
272	Officers' Salaries, &c., to amend B. L. 250.	17th February, 1868.	"	
273	Dogs, to repeal all By-laws on.	27th April, 1868.	"	
274	Fire Brigade, to repeal all By-laws on.	27th April, 1868.	"	
275	Nelson Street, extension of.	14th June, 1868.	In force, not printed	
276	Assessors, to fix salary of.	6th July, 1868.	Effete.	
277	Weights and Measures, to appoint inspector of.	6th July, 1868.	Repealed.	
278	Sewers, to repeal all By-laws on.	17th August, 1868.	"	
279	Assessment for 1868, to fix rate of.	17th August, 1868.	Effete.	
280	Pound, on.	17th August, 1868.	Repealed.	
281	W. G. & Bruce Railway, to subscribe for shares in.	7th September, 1868.	Effete.	
282	G. W. R. Stock, to regulate transfer of.	14th Sept., 1868.	In force, not printed	
283	Nelson Street, to extend.	14th Sept., 1868.	Effete.	
284	Pound-keeper, to appoint.	5th October, 1868.	Repealed.	
285	Markets, on.	12th October, 1868.	"	
286	Sign Boards, to prevent defacing.	26th October, 1868.	Effete.	
287	Nelson Street, to assess real property benefited by extension of.	23rd Nov., 1868.	"	
288	Returning Officers for 1869, to appoint.	7th December, 1868.	Repealed.	
289	Markets, on.	21st December, 1868.	Effete.	
290	Returning Officers, to amend B. L. 288 on.	28th December, 1868.	Repealed.	
291	Wood, to amend B. L. 140 on.	28th December, 1868.	In force, not printed	
292	Streets, to change the names of certain.	28th December, 1868.	Repealed.	
293	Snow, to amend B. L. 257 on.	28th December, 1868.	Repealed.	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
294	Officers of City, to amend B. L. relating to duties of	15th February, 1869.	Repealed.	
295	Numbering Houses, to provide for	29th March, 1869.	Effete.	
SECOND SERIES.				
1	Markets, and to repeal all former B. L. on	26th April, 1869.	Repealed.	
2	Weights and Measures, to appoint special inspector of	10th May, 1869.	"	
3	Mary Street, to widen part of	10th May, 1869.	In force, not printed	
4	Statute Labor, as to	17th May, 1869.	Repealed.	
5	Bread, assize and weight of	17th May, 1869.	Effete.	
6	Streets and Sidewalks, and to repeal all former B. L. on	25th May, 1869.	"	
7	Hamilton and Milton Road Company, to lend \$5,000 to	7th June, 1869.	"	
8	Nuisance, and to repeal all former B. L. on	5th July, 1869.	In force, not printed	120
9	Hamilton and Glanford Road Co. to construct their road, to authorize the	19th July, 1869.	In force.	
10	Licenses, on	19th July, 1869.	Effete	113
11	Local Improvements, on	16th August, 1869.	"	
12	Assessment for 1869, to fix rate of	16th August, 1869.	In force.	
13	Burial of the Dead, to regulate the	20th Sept., 1869.	Effete.	
14	Sewers, on	11th October, 1869.	"	
15	Streets and Sidewalks, on	25th October, 1869.	Repealed.	
16	Markets, on	22nd Nov., 1869.	In force, not printed	
17	Jolley Cut Road, to construct the	6th December, 1869.	Repealed.	
18	Nuisances, to amend B. L. 8 on	6th December, 1869.	Effete.	
19	Returning Officers for 1870, to appoint	14th February, 1870.	In force.	
20	Officers and Salaries on	20th June, 1870.	Effete.	14
21	Markets, on	1st August, 1870.	"	
22	Statute Labor Tax, to appoint collector of	12th Sept., 1870.	"	
23	Assessment for 1870, to fix rate of	3rd December, 1870.	"	
24	Returning Officers for 1871, to appoint	16th January, 1871.	"	
25	Auditors and Assessors for 1871, to appoint	27th February, 1871.	"	
26	Verandahs, Signs, &c., on	24th April, 1871.	"	
27	Salaries of Officers, to amend B. L. 20 on	24th April, 1871.	"	
28	Eastern Park, to grant to County of Wentworth part of the	8th May, 1871.	In force not printed.	77
29	Funerals, to prevent interruption of	22nd May, 1871.	In force.	
30	Pounds, on	5th June, 1871.	"	118
31	Verandahs, Signs, &c., to amend B. L. 26 on	17th July, 1871.	Repealed.	
32	Fire Limits, to amend B. L. 151 on	17th July, 1871.	"	
33	Wood, amends B. L. N. S., on sale of	17th July, 1871.	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
34	Polling Divisions, to divide City into.....	17th July, 1871.	Effete.	
35	Assessment for 1871, to fix rate of.....	28th August, 1871.	"	
36	Markets, amends B. L. No 1. on.....	28th August, 1871.	Repealed.	
37	Taxes for 1871, to appoint collector of.....	25th Sept., 1871.	Effete.	
38	Hamilton and Lake Erie Railway, to aid.....	4th December, 1871.	"	
39	Returning Officers for 1872, to appoint.....	4th December, 1871.	"	
40	Weights and Measures, to appoint inspector of.....	18th Dec., 1871.	"	
41	Auditors and Assessors for 1872, to appoint.....	15th January, 1872.	"	
42	Taxes for 1872, to appoint collector of.....	22nd April, 1872.	"	
43	Statute Labor Tax for 1872, to appoint collector of.....	5th May, 1872.	"	
44	Water Works, to amend B. L. 265 on.....	8rd June, 1872.	Repealed.	
45	Salaries, to amend B. L. 27, on.....	3rd June, 1872.	Effete.	
46	Fire Limits, to extend.....	15th July, 1872.	"	
47	Public Health, &c., on.....	18th July, 1872.	"	
48	Assessment for 1872, to fix rate of.....	26th August, 1872.	Effete.	
49	Fire Brigade, to amend B. L. 274, on.....	2nd December, 1872.	Repealed.	
50	Returning Officers for 1873, to appoint.....	2nd December, 1872.	Effete.	
51	Assessors and Auditors for 1873, to appoint.....	20th January, 1873.	"	
52	Health Officers for 1873, to appoint.....	17th March, 1873.	"	
53	Salaries, to fix certain.....	31st March, 1873.	"	
54	Nuisances, to amend B. L. on.....	12th May, 1873.	In force.	117
55	Hamilton and North-Western Railway by a bonus of \$100,000, to aid.....	9th June, 1873.	Effete.	
56	Pounds, to amend B. L. 30, on.....	12th June, 1873.	"	
57	Assessment for 1873, to fix rate of.....	4th August, 1873.	In force.	118
58	Taxes, to appoint collector of.....	1st September, 1873.	Effete.	
59	Street Watering, to provide for.....	15th Sept., 1873.	"	
SPECIAL SERIES.				
1	Fines and Penalties for breach of any B. L., to impose.....	12th May, 1873.	In force.	171
2	Cordwood, to regulate sale of.....	23rd June, 1873.	Effete.	
3	Wood Inspector, to appoint a.....	23rd June, 1873.	"	
4	Wooden Buildings within, and to define Fire Limits, to prevent the erection of.....	7th July, 1873.	Repealed.	
5	Slaughter Houses, to prevent the erection of.....	4th August, 1873.	In force.	49
6	Waggon Tires, to regulate the width of.....	10th Nov., 1873.	Repealed.	



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SECOND SERIES—CONTINUED.				
60	Returning Officers for 1874, to appoint.	24th Nov., 1873.	Effete.	
61	Health, relating to public.	22nd Dec., 1873.	"	
62	Snow, to repeal part of B. L. 6 on	22nd Dec., 1873.	"	
63	Hamilton Street Railway Company, to grant certain privileges to	22nd Dec., 1873.	"	
64	Assessors, to appoint.	19th January, 1874.	"	
65	Auditors, to appoint.	2nd February, 1874.	"	
66	Salaries, to amend B. L. on	2nd March, 1874.	"	
67	Hamilton and North-Western Railway, to apply certain money towards payment of bonus of \$100,000, to	8th June, 1874.	"	
68	Barton Street, to open from Bay to Caroline	22nd June, 1874.	In force, not printed	
69	Wagon Ties, to regulate width of	20th July, 1874.	In force.	57
70	Assessment for 1874, to fix rate of	31st August, 1874.	Effete.	
71	Street Watering for 1874, to provide for	31st August, 1874.	"	
72	Emerald Street, to open	14th Sept., 1874.	In force, not printed	
73	Emerald Street, to appoint an arbitrator for extension of	14th Sept., 1874.	Effete.	
74	Jail, to appoint an arbitrator as to proportion to be paid by City for	28th Sept., 1874.	"	
75	Hamilton Street Railway Company, to amend B. L. 63, N. S. on	9th Nov., 1874.	"	
76	City Property, to authorize sale of	23rd Nov., 1874.	In force, not printed	
77	Returning Officers for 1875, to appoint	23rd Nov., 1874.	Effete.	
78	Wellington Grey and Bruce Railway, to authorize sale of stock	4th December, 1874.	"	
79	Board of Works and regulate Streets, Sidewalks, to appoint a	7th December, 1874.	In force.	73
80	Auditors for 1875, to appoint.	25th January, 1875.	Effete.	
81	Assessors for 1875, to appoint.	25th January, 1875.	"	
82	Wooden Buildings, to prevent erection of	7th June, 1875.	Repealed.	
83	Polling Divisions, to divide the city into	21st June, 1875.	Effete.	
84	Street Watering for 1875, to fix rate for	2nd August, 1875.	"	
85	Emerald Street, to levy a rate for extension of	16th August, 1875.	"	
86	Assessment for 1875, to fix rate for	30th August, 1875.	"	
87	Hamilton and North-Western Railway, to aid	13th Sept., 1875.	"	
88	Fire Limits, to amend B. L. 82 on	8th November, 1875.	Repealed.	
89	Polling Divisions in Wards 2, 4, 5, 6, 7, to define.	8th November, 1875.	Effete.	
90	Nuisances, to amend B. L. 8 on	22nd Nov., 1875.	Effete.	
91	Returning Officers for 1876, to appoint	6th December, 1875.	"	
92	Auditors for 1876, to appoint	24th January, 1876.	Effete.	
93	Assessors for 1876, to appoint.	31st January, 1876.	"	
94	Licenses on Tavern and Shop	25th February, 1876.	In force.	103

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95	Statute Labor Tax for 1876, to appoint a collector of.	24th April, 1876.	Effete.	
96	Treasurer, to appoint a.	15th May, 1876.	"	
97	East Avenue from Main to King, to open.	5th June, 1876.	In force, not printed	
98	York Street, to sell a piece of land on.	5th June, 1876.	"	
99	Dogs from running at large, to restrain.	31st July, 1876.	Repealed.	
100	Street Watering for 1876, to fix rate for.	15th August, 1876.	Effete.	
101	Assessment for 1876, to fix rate of.	15th August, 1876.	"	
102	Nuisances, to amend B. L. 8 on.	28th August, 1876.	Repealed.	
103	East Avenue, to raise amount to pay for opening.	11th Sept., 1876.	Effete.	
104	Stove Wood, to regulate sale of.	25th Sept., 1876.	In force.	86
105	Bread assize and weight of.	20th Nov., 1876.	"	89
106	Returning Officers for 1877, to appoint.	4th December, 1876.	Effete.	
107	Sewers under local improvement system, to assess property benefited by.	3rd January, 1877.	Repealed.	
108	Fire Brigade, to re-organize.	8th January, 1877.	In force.	
109	Sewers, to regulate common.	15th January, 1877.	Effete.	143
110	Auditors for 1877, to appoint.	23rd January, 1877.	"	
111	Assessors for 1877, to appoint.	26th February, 1877.	"	
112	Licenses, to limit number of tavern.	26th February, 1877.	"	
113	Health Inspector, to appoint.	12th March, 1877.	"	
114	Salaries, to amend B. L. on.	7th May, 1877.	"	
115	Statute Labor Tax for 1877, to appoint collector of.	21st May, 1877.	"	
116	Sewers, to assess property for building.	5th June, 1877.	Repealed.	
117	Hamilton and Dundas Street Railway, to grant certain privileges to.	16th July, 1877.	Effete.	
118	Auditors, to provide for special.	3rd August, 1877.	Repealed.	
119	Fire Limits, to amend B. L. 82 on.	13th August, 1877.	Effete.	
120	Assessment for 1877, to fix rate of.	27th August, 1877.	"	
121	Street Watering for 1877, to levy rate for.	27th August, 1877.	In force, not printed	
122	Maiden Lane, to change name of.	10th Sept. 1877.	Effete.	
123	Health Inspector, to appoint.	8th October, 1877.	"	
124	Sewers, to levy half the cost of certain.	8th October, 1877.	"	
125	High Bailiff, to appoint a.	19th Nov. 1877.	"	
126	Polling Divisions, to divide Wards 1 and 2 into.	19th Nov. 1877.	"	
127	Returning Officers for 1878, to appoint.	19th Nov., 1877.	In force.	149
128	Sewers, to amend B. L. 109 on.	19th Nov., 1877.	Repealed.	
129	Streets and Sidewalks, to amend B. L. 79 on.	17th Dec., 1877.	Effete.	
130	Hamilton and Dundas Street Railway Co., to grant certain privileges to.	17th Dec., 1877.	"	
131	Returning Officers, to amend B. L. 126 on.	10th January, 1878.	Repealed.	
	Fire Brigade, to amend B. L. 105 on.			

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132	Assessors and Auditors for 1878, to appoint	28th January, 1878.	Effete.	163
133	Licenses, to fix amount to be paid for Tavern and Shop.	18th February, 1878.	In force.	149
134	Sewers, to amend B. L. 109 on.	4th March, 1878.	In force	
135	Fire Brigade, to amend B. L. 131 on.	18th March, 1878.	Repealed.	
136	City Clerk and High Bailiff, to fix salary of.	18th March, 1878.	"	
137	Police Magistrate, to increase salary of.	1st April, 1878.	"	
138	Statute Labor Tax for 1878, to appoint collector of.	29th April, 1878.	Effete.	
139	Pound-keeper, to appoint.	27th May, 1878.	"	
140	Monk, Wm., to fix salary of.	24th June, 1878.	"	
141	Sewers, to amend B. L. 116 on.	22nd July, 1878.	"	
142	Assessment for 1878, to fix rate of.	5th August, 1878.	"	
143	Hamilton and Dundas Street Railway, to amend B. L. 129 relating to.	6th August, 1878.	"	
144	Street Watering for 1878, to levy a rate for.	2nd Sept., 1878.	"	
145	Sewers, to levy half the cost of certain.	14th October, 1878.	"	
146	Water Works, to amend B. L. 265 on.	28th October, 1878.	Repealed.	
147	Board of Health, to amend B. L. 61, Second Series on.	25th Nov., 1878.	Effete.	
148	Returning Officers for 1879, to appoint.	9th December, 1878.	"	
149	Markets, to amend B. L. on.	23rd December, 1878.	Repealed.	149
150	Sewers, to amend B. L. 109, on.	7th January, 1879.	In force.	
151	Returning Officers, to amend B. L. 148, on.	23rd December, 1878.	Effete	
152	Fire Brigade, to re-organize.	13th January, 1879.	Repealed.	
153	Fire Brigade, to appoint officers of.	17th January, 1879.	Effete	
154	Fire Brigade, to appoint firemen.	27th January, 1879.	"	
155	Assessors and Auditors for 1879, to appoint.	31st March, 1879.	"	
156	Fire Brigade, to appoint drivers for.	7th April, 1879.	Not printed.	
157	Salaries of Officers, to fix.	28th April, 1879.	Effete.	
158	Statute Labor Tax for 1879, to appoint collector of.	12th May, 1879.	"	
159	Fire Brigade, to appoint a driver for.	27th May, 1879.	"	
160	Sewers, to amend B. L. 109, on.	27th May, 1879.	"	
161	Fire Brigade to appoint firemen.	18th August, 1879.	Repealed.	
162	Hospital Physician to fix salary of.	18th August, 1879.	"	
163	Sidewalks, to amend B. L. 79, on.	18th August, 1879.	"	
164	Water Works, to amend B. L. 265, on.	18th August, 1879.	"	
165	Asylum Sewer, to confirm agreement with Ontario Government as to.	18th August, 1879.	In force, not printed	
166	Assessment for 1879, to fix rate of.	22nd August, 1879.	Effete.	
167	Sewers, to levy half the cost of.	1st Sept., 1879.	"	
168	Street Watering for 1879, to levy rate for.	1st Sept., 1879.	"	
169	Streets and Sidewalks, to amend B. L. 79, on.	27th October, 1879.	Repealed.	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
170	Water Works, to amend B. L. 265, on	10th Nov., 1879.	Repealed.	
171	Markets, to amend B. L. 149, on	10th Nov., 1879.	"	
172	Returning Officers for 1880, to appoint	24th Nov., 1879.	Effete.	
173	Carters' Stands, to fix	8th December, 1879.	In force.	72
174	Returning Officers, to amend B. L. 172, on	8th December, 1879.	Effete.	
175	Returning Officers for 1880, to appoint	22nd Dec., 1879.	"	
176	Assessors and Auditors for 1880, to appoint	26th January, 1880.	Repealed.	
177	Officers, to amend B. L. 20, on duties of	1st March, 1880.	Effete.	
178	Health, to amend B. L. 61, on public	15th March, 1880.	Repealed.	
179	Fire Brigade, to amend B. L. 152, on	15th March, 1880.	Effete.	
180	Licenses, to amend B. L. 94, on Tavern and Shop	15th March, 1880.	Repealed.	
181	Fire Limits, to amend B. L. 82, on	12th April, 1880.	Effete.	
182	Water Works, to raise \$165,000 for the improvement of the	26th April, 1880.	Repealed.	
183	Statute Labor Tax for 1880, to appoint collector of	26th April, 1880.	Effete.	
184	Salaries, to amend B. L. on	10th May, 1880.	"	
185	Fire Brigade, to amend B. L. 152, on	10th May, 1880.	Repealed.	
186	Health Inspector, to appoint a	10th May, 1880.	Effete.	
187	Hospital, to provide for management of	2nd August, 1880.	Repealed.	
188	Streets and Sidewalks, to amend B. L. 79, on	30th August, 1880.	Effete.	
189	Street Watering for 1880, to levy a rate for	30th August, 1880.	"	
190	Sewers, to levy half the cost of certain	30th August, 1880.	"	
191	Assessment for 1880, to fix rate of	30th August, 1880.	"	
192	Fire Brigade, to amend B. L. 152, on	11th October, 1880.	Repealed.	
193	Returning Officers for 1881, to appoint	22nd Nov., 1880.	Effete.	48
194	Coal Oil, to regulate the storage of	10th December, 1880.	In force.	
195	Local Improvements, on	10th January, 1881.	Repealed.	
196	Assessors and Auditors for 1881, to appoint	17th January, 1881.	Effete.	
197	Hospital, to fix salary of matron of	28th March, 1881.	Repealed.	
198	Licenses, to amend B. L. 133 on	11th April, 1881.	In force.	163
199	Statute Labor Tax for 1881, to appoint a collector of	9th May, 1881.	Effete.	
200	Pound Keeper, to appoint	30th May, 1881.	"	
201	Dogs on	13th June, 1881.	In force.	115
202	Dog Pound, to establish a	13th June, 1881.	Effete.	
203	Street Watering for 1881, to levy a rate for	26th August, 1881.	"	
204	Assessment for 1881, to fix rate of	12th Sept., 1881.	"	
205	Fire Limits, to define and to appoint an inspector of buildings	31st October, 1881.	Repealed.	
206	Health Inspector, to raise salary of	14th Nov., 1881.	Effete.	
207	Returning Officers for 1882, to appoint	28th Nov., 1881.	"	



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208	Local Improvements, on.....	12th December, 1881.	Effete.	91
209	Fire Department, to re-organize.....	28th December, 1881.	In force.	
210	Assessors for 1882, to appoint.....	16th January, 1882.	Effete.	
211	Auditors for 1882, to appoint.....	16th January, 1882.	"	
212	Assessors, to amend B. L. 210 on.....	30th January, 1882.	"	
213	Tavern Licenses, to amend B. L. 112 on.....	27th February, 1882.	In force.	163
214	Liquor to Infants, to restrict sale or gift of.....	13th March, 1882.	Repealed.	
215	Markets, to amend B. L. on.....	27th March, 1882.	Effete.	
216	Statute Labor Tax, to appoint a collector of.....	24th April, 1882.	Repealed.	
217	Buildings, to amend B. L. 205 on.....	29th May, 1882.	Effete.	
218	Sewers, to levy half cost of constructing certain.....	31st July, 1882.	"	
219	Sewers, to amend B. L. 218 on.....	28th August, 1882.	"	
220	Street Watering, to levy rate for.....	11th August, 1882.	In force, not printed	
221	Street, to open a.....	11th Sept., 1882.	Effete.	
222	Assessment for 1882, to fix rate of.....	15th Sept., 1882.	"	
223	Sewers, to levy half the cost of constructing certain.....	13th Nov., 1882.	"	120
224	Hamilton Street Railway, to construct a line on Herkimer St., to authorize the.	27th Nov., 1882.	"	
225	Returning Officers for 1883, to appoint.....	27th Nov., 1882.	"	
226	Auditors for 1883, to appoint.....	15th Jan., 1883.	"	
227	Assessors for 1883, to appoint.....	29th Jan., 1883.	"	
228	Hamilton and North-Western Railway, to authorize Mayor to vote at meeting of	29th Jan., 1883.	"	
229	Statute Labor Tax, to appoint collector of.....	9th April, 1883.	"	
230	Hamilton Street Railway, to amend B. L. 224 on.....	30th April, 1883.	"	
231	Nuisances, to amend B. L. 8 on.....	11th June, 1883.	In force.	
232	Bread, to amend B. L. 105, on.....	27th August, 1883.	"	39
233	Assessment for 1883, to fix rate of.....	10th Sept., 1883.	Effete.	31
234	Coal, to provide for the weighing of.....	10th Sept., 1883.	"	
235	Food, to appoint inspector and regulate sale of.....	10th Sept., 1883.	In force.	
236	Coal, to amend B. L. 235, on weighing of.....	10th Sept., 1883.	"	
237	Coal, to amend B. L. 235, on weighing of.....	10th Sept., 1883.	"	
238	Stove Wood, to amend B. L. 104, on sale of.....	24th Sept., 1883.	"	31
239	Sewers, to levy half the cost of constructing certain.....	24th Sept., 1883.	Effete.	36
240	Health Inspector, to appoint assistant.....	24th Sept., 1883.	"	91
241	Markets, on.....	8th October, 1883.	"	
242	Fire Department, to amend B. L. 209, on.....	12th Nov., 1883.	Repealed.	
243	Returning Officers for 1884, to appoint.....	26th Nov., 1883.	In force.	
244	Wood, to amend B. L. 238, on sale of.....	26th Nov., 1883.	Effete.	
245	Assessors for 1884 and Auditors for 1883, to appoint.....	28th Jan., 1884.	"	

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246	Coal, to amend B. L. 237, on weighing of .....	28th January, 1884.	Effete.	
247	Salaries, to fix certain .....	25th February, 1884.	"	
248	Board of Health, to appoint .....	31st March, 1884.	"	
249	Food, to amend B. L. 236 on sale of .....	31st March, 1884.	In force.	41
250	Sewers, to levy half cost of constructing certain .....	31st March, 1884.	Effete.	
251	Markets, on .....	14th April, 1884.	Repealed.	
252	Statute Labor Tax for 1884, to appoint collector of .....	26th April, 1884.	Effete.	
253	Coal, to amend B. L. 235, on weighing of .....	28th April, 1884.	In force.	31
254	Fire Limits, to amend B. L. 205, on .....	12th May, 1884.	Repealed.	
255	Board of Health, to appoint .....	12th May, 1884.	Effete.	
256	Alleyway, to close a certain .....	12th May, 1884.	In force, not printed	
257	Hamilton Street Railway, in relation to .....	12th May, 1884.	Effete.	
258	Streets and Sidewalks, to amend B. L. 79, on .....	12th May, 1884.	In force.	73
259	Hawkers, for licensing and regulating .....	12th May, 1884.	"	43
260	Water Works, to fix rates for building purposes .....	26th May, 1884.	Repealed.	
261	Cedar Block Pavement on King and James Streets .....	26th May, 1884.	Effete.	
262	Salaries, to amend B. L. on .....	26th May, 1884.	"	
263	Pawnbrokers, to license .....	26th May, 1884.	In force.	49
264	Polling Divisions, to amend B. L. 83, on .....	26th May, 1884.	Effete.	
265	Public Health Act, to amend B. L. appended to the .....	28th July, 1884.	In force.	122
266	Assessment for 1884, to fix rate of .....	28th July, 1884.	Effete.	
267	Street Watering for 1884, to levy rate for .....	1st Sept., 1884.	"	
268	Returning Officers for 1885, to appoint .....	1st Sept., 1884.	"	
269	Alleyway, to close up part of .....	24th Nov., 1884.	In force, not printed	
270	Board of Health, to appoint a .....	8th December, 1884.	Effete.	
271	Auditors for 1884, to appoint .....	19th January, 1885.	"	
272	Returning Officers for 1885, to appoint .....	19th January, 1885.	"	
273	Water Works, to amend B. L. 265, on .....	26th January, 1885.	Repealed.	
274	Pound Keeper, to appoint .....	26th January, 1885.	Effete.	
275	Bread, to amend B. L. 105, on .....	23rd March, 1885.	In force.	39
276	Coal, to amend B. L. 246 on weighing .....	30th March, 1885.	"	21
277	Paddocks, Parks, &c., respecting assessment of .....	30th March, 1885.	"	29
278	Fire Department, to amend B. L. 209, on .....	13th April, 1885.	Effete.	
279	Water Works, on the .....	13th April, 1885.	In force.	154
280	Statute Labor Tax, to appoint collector of .....	27th April, 1885.	Effete.	
281	Cedar Block Roadway on certain Streets, to build .....	27th April, 1885.	"	
282	Corner Lots, to regulate assessment of .....	27th April, 1885.	In force.	88
283	Local Improvements, respecting petitions against .....	11th May, 1885.	"	91

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284	Fire Limits, to amend B. L. 205, on.	8th June, 1885.	In force.	96
285	Medical and Health Officer, to amend B. L. 255, on salary of	29th June, 1885.	Effete.	
286	Assessment for 1885, to fix rate of	31st August, 1885.	"	
287	Cedar Block Roadway on certain Streets, to build.	31st August, 1885.	"	
288	Cedar Block Roadway on certain Streets, to build.	31st August, 1885.	"	
289	Street Watering, to levy rate for	14th Sept., 1885.	In force.	113
290	Licenses, to amend B. L. 10, on.	28th Sept., 1885.	Effete.	
291	Cedar Block Roadway on certain Streets, to build.	28th Sept., 1885.	"	
292	Licenses, to amend B. L. 10, on.	28th Sept., 1885.	In force.	91
293	Fire Department, to amend B. L. 209, on.	26th October, 1885.	In force, not printed.	
294	Health Inspector, to fix salary of	30th Nov., 1885.	Repealed.	
295	Coal Weigher, to fix salary of	30th Nov., 1885.	Effete.	
296	Returning Officer for 1886, to appoint.	30th Nov., 1885.	"	
297	Cedar Block Roadway on certain Streets, to build.	14th December, 1885.	"	
298	Debentures for Cedar Block Roadway, to issue	14th December, 1885.	In force.	80
299	Debentures for Cedar Block Roadway, to issue.	28th December, 1885.	Effete.	
300	Areas and Excavations, respecting	28th December, 1885.	"	
301	Debentures for Cedar Block Roadway, to issue	11th January, 1886.	"	
302	Debentures for Cedar Block Roadway, to issue	18th January, 1886.	"	
303	Junk Shops, to license and regulate	18th January, 1886.	In force.	79
304	Board of Health, to appoint.	25th January, 1886.	Effete.	
305	Auditors for 1885, to appoint.	25th January, 1886.	"	
306	Tobogganing or Coasting, to prohibit.	25th January, 1886.	"	
307	Assessors for 1886, to appoint.	22nd February, 1886.	In force.	88
308	Local Improvements and Special Assessments therefor, respecting.	12th April, 1886.	Effete.	
309	Pound Keeper, to appoint	26th April, 1886.	In force.	117
310	Pound, to repeal B. L. 102 and to amend B. L. 54 on.	26th April, 1886.	"	
311	Assessment, to regulate annual.	26th April, 1886.	Effete.	28
312	Street Watering, to levy rate for	26th April, 1886.	"	
313	Statute Labor Tax, to appoint collector of.	10th May, 1886.	"	
314	Street Watering, to levy rate for	31st May, 1886.	"	
315	Officers, to fix salary of Assistant City Clerk	31st May, 1886.	"	
316	Public Health Act, to amend.	14th June, 1886.	In force.	122
317	Officers, to fix salary of W. Monk and E. MacLoughlin.	28th June, 1886.	Effete.	
318	House of Refuge, to appoint superintendent.	28th June, 1886.	"	
319	Assessors for 1887, to appoint.	28th June, 1886.	"	
320	Officers, to fix salary of Tax Collector and third assistant.	23rd July, 1886.	"	
321	Assessment for 1886, to fix rate of.	31st August, 1886.	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
322	Street Watering, to levy rate for .....	31st August, 1886.	Effete.	
323	Officers, to fix salary of third assistant in the Water Works. ....	31st August, 1885.	"	
324	Assessment, to fix School rate for 1886. ....	13th Sept., 1886.	"	
325	Polling Divisions, to fix Parliamentary .....	27th Sept., 1886.	"	
326	Officers, to fix salary of first and second assistants in Collector's office. ....	11th October, 1886.	"	
327	Officers, to fix salary of W. Anstey and W. Calder .....	31st October, 1886.	"	
328	Market, to regulate Central. ....	1st November, 1886.	Repealed.	
329	Polling Divisions, to fix Municipal .....	29th Nov., 1886.	Effete.	
330	Returning Officers, to appoint .....	29th Nov., 1886.	"	
331	Fire Limits to regulate building and to fix .....	13th December, 1886.	Repealed.	
332	Officers, to fix W. Anstey's salary .....	13th December, 1886.	Effete.	
333	Debentures for Local Improvements, to issue .....	30th December, 1886.	"	
TO	Debentures for Local Improvements, to issue .....	30th December, 1886.	"	
354	TO	30th December, 1886.	"	
358	Consolidate issue of .....	30th December, 1886.	"	
359	Free Roads, to grant \$5,000 to .....	10th January, 1887.	"	
360	Board of Health, to appoint local .....	17th January, 1887.	"	
361	Auditors, to appoint. ....	17th January, 1887.	"	
362	Assessment for 1887, to adopt. ....	31st January, 1887.	"	
363	Salaries, to amend B. L. on .....	14th February, 1887.	"	
364	Statute Labor Tax, to appoint collector of .....	28th February, 1887.	"	
365	Cedar Block Roadway, to impose a rate for .....	14th March, 1887.	"	
366	Assessment for 1887, to fix rate of .....	28th March, 1887.	"	
367	Hospital Physician, to appoint .....	13th April, 1887.	"	
368	Assessment for Schools for 1887, to fix rate of .....	30th May, 1887.	In force, not printed	
369	City Hall, to raise \$100,000 to build .....	30th May, 1887.	Effete.	
370	Assessors for 1888, to appoint .....	30th May, 1887.	"	
371	Salary of Caretaker at Cemetery, to fix .....	30th May, 1887.	In force.	66
372	John Street Market, to regulate the .....	30th May, 1887.	"	134
373	Public Parks, to regulate the use of .....	27th June, 1887.	Effete.	
374	Street Watering, to provide for 1887 .....	29th August, 1887.	"	
375	Salary of Treasurer, to fix .....	30th Sept., 1887.	"	
376	Cedar Block Pavement, to raise money for .....	31st October, 1887.	"	
377	Hospital Physician and Matron for House of Refuge, to appoint .....	31st October, 1887.	"	
378	Market, to amend B. L. 328 on .....	14th Nov., 1887.	Repealed.	
379	Coal Weigher, to repeal B. L. 295 and fix salary of .....	14th Nov., 1887.	In force, not printed	
380	City Hall, to constitute the old Post Office the .....	28th Nov., 1887.	Effete.	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
381	Returning Officers, to appoint. ....	1887.	Effete.	73
382	Streets and Sidewalks, to amend B. L. 79 on .....	28th Nov., 28th Nov.,	In force.	
C. B. L. 1887. Chap. 1	To effect certain alterations in George and Hannah streets.....	12th December, 1887.	In force, not printed	
2	To establish and define the limits of Hess street, between King and York streets	"	"	
3	To extend Victoria avenue across King street and through and over the property of Thomas Stinson, Esq. ....	"	"	
4	To open an alley from East Market to Rebecca street .....	"	"	
5	To widen a portion of Mary street .....	"	"	
6	To widen a portion of Park street.....	"	"	
7	To close up certain streets now forming a portion of the Depot grounds of the Great Western Railway .....	"	"	
8	To close up Julia Louise and Augusta streets.....	"	"	
9	To ascertain and determine the number of owners and the value of the property to be directly benefited by the extension of Nelson street .....	"	Effete.	
10	To ascertain and determine what property will be immediately benefited by the opening and prolonging of Nelson street.....	"	"	
11	To change the name of certain streets.....	"	In force, not printed	
12	To ascertain and determine the number of owners and the value of the property to be directly benefited by the widening of Mary street from King street to King William street.....	"	Effete.	
13	To authorize the Hamilton and Milton Toll Road Company to extend their road in the City .....	"	"	
14	To authorize the Glanford Road Company to enter the City. ....	"	In force, not printed	
15	To allow a company to construct a road into the City by Wellington street....	"	Effete.	
16	To provide for the sale of lands to the County of Wentworth .....	"	In force, not printed	
17	To provide for the opening of Barton street.....	"	"	
18	To provide for the extension of Emerald street from King street to Main street.	"	"	
19	To provide for the sale of certain lands on Jackson street and Mary street.....	"	"	
20	To open East avenue from Main street to King street. ....	"	"	
21	To provide for the sale of certain land on York street to Joseph Kent .....	"	"	
22	To change the name of Maiden Lane to Jackson street.....	"	"	
23	To open up Baillie street .....	"	"	
24	To close an alley immediately in rear of the property owned by Messrs. John Billings, Donald Smith, T. H. Pratt and F. W. Watkins on James street between King and King William streets.....	"	"	

C. B. L. 1887 Chap.	TITLE.	WHEN PASSED.	REMARKS.	Page
25	To close part of an alley in block bounded by Mary, Elgin and Barton streets and the property of the G. T. R. Co. ....	12th Dec'r, 1887.	In force, not printed	
26	For granting aid for the construction of free roads into the City. ....	"	Effete.	77
27	For the numbering of houses. ....	"	"	87
28	Respecting the erection of signs and verandahs. ....	"	"	73
29	To prevent the interruption of funerals. ....	"	In force.	
30	To regulate the width of tires on waggons and other vehicles. ....	"	"	
31	On streets and sidewalks. ....	"	"	
32	To provide for regulating the common sewers and to levy an annual rental or sewer rate and for other purposes. ....	"	"	149
33	Assigning stands for carters. ....	"	"	71
34	To regulate the storage of coal oil. ....	"	"	48
35	Respecting the assessment of paddocks, parks, lawns and pleasure grounds. ....	"	"	29
36	To provide for an equitable mode of assessing for local improvements, corner lots and irregular pieces of land. ....	"	"	88
37	To provide for determining the number of owners petitioning against local improvements. ....	"	"	91
38	Respecting area excavations and openings for like purposes in or under the streets or sidewalks. ....	"	"	80
39	To prohibit coasting or tobogganing on the public streets. ....	"	"	79
40	Respecting local improvements and special assessments therefor. ....	"	"	88
41	For the prevention of fires and for regulating the erection of buildings and defining the fire limits. ....	"	Repealed.	
42	To permit the Hamilton and Port Dover Railway Company to carry their railway along East avenue. ....	"	Effete.	
43	Respecting the Hamilton Street Railway Company. ....	"	Repealed.	
44	Authorizing the Hamilton Street Railway Company to extend their line along Herkimer street. ....	"	"	
45	Respecting the Hamilton and Dundas Street Railway Company. ....	"	Effete.	
46	To amend By-law No. 129 relating to the Hamilton and Dundas Street Railway Company. ....	"	"	
47	Authorizing the Mayor to vote and act on behalf of the City at meetings of the shareholders of the Hamilton and North-Western Railway Company. ....	"	"	
48	Authorizing the construction of Waterworks for the City of Hamilton. ....	"	In force, not printed	
49	To raise \$20,000 for the erection of a Crystal Palace. ....	"	Effete.	
50	Appointing an arbitrator to ascertain the amount to be paid by the City to the County for use of the Jail and maintenance of prisoners. ....	"	"	

C. B. L. 1887 Chap.	TITLE.	WHEN PASSED.	REMARKS.	Page
51	Approving and confirming an agreement with the Ontario Government respecting the construction and maintenance of the sewer from the Lunatic Asylum.....	12th December, 1887.	In force, not printed.	
52	Respecting the management of the City Hospital.....	"	Effete.	91
53	For the reorganization of the Fire Department.....	"	In force.	154
54	Respecting the City Waterworks and water rates.....	"		
55	To raise the sum of \$100,000 for the erection of a City Hall.....	"	In force, not printed	
56	Designating the old Post Office as the City Hall.....	"	Repealed.	
57	Respecting public parks.....	"	In force.	135
58	To regulate the sale of stove wood.....	"	"	36
59	To regulate the weight of bread.....	"	"	39
60	To provide for the weighing of coal.....	"	"	31
61	For regulating the manner of selling or weighing meat, poultry, fish, fruit, vegetables, butter, milk and other natural products offered for sale for human food or drink and for weighing potatoes in sacks and the measurement of fruit in packages, etc.....	"	"	41
62	Respecting the Central Market.....	"		
63	To regulate the John Street Market.....	"	Repealed.	66
64	Respecting nuisances.....	"	In force.	120
65	Relating to Pound.....	"	"	117
66	Regulating the duties of the officers of the City and fixing their salaries.....	"	"	14
67	To impose a tax on dogs and bitches and to restrain their running at large in the City.....	"	"	115
68	To restrict the sale or gift of any intoxicating liquor to children or apprentices without consent of a parent or legal protector.....	"	"	163
69	To impose the Statute Labor Tax.....	"		
70	Respecting Licenses.....	"	Repealed.	
71	To impose penalties.....	"	In force.	118
72	To limit the number of Tavern and Shop Licenses to be issued.....	"	"	171
73	For licensing, regulating and governing Hawkers, etc.....	"	"	163
74	For licensing Pawnbrokers.....	"	"	43
75	For regulating the periods for taking the assessment, the revision of the rolls by the Court of Revision and by the County Judge, and also for regulating the time for payment of the annual rates and taxes.....	"	"	49
76	To prohibit the digging of any grave or the interment of any body in the City except in the Burlington Cemetery, and to make certain regulations respecting the Cemetery.....	"	"	28
		"	"	121

C. B. L. 1837 Chap.	TITLE.	WHEN PASSED.	REMARKS.	Page
77	To prevent the erection of slaughter houses in the City, and regulating those already erected in the City.....	12th Dec'r, 1887.	In force.	49
78	Respecting the Public Health By-law.....	"	"	1-2
79	To fix polling sub-divisions for elections to the Legislative Assembly.....	"	Effete.	
80	To fix polling sub-divisions for Municipal elections.....	"	"	
By-law. No.				
383	To regulate City Hospital.....	12th Dec'r, 1887.	Repealed.	
384	To consolidate City By-laws.....	"	Effete.	
385	To appoint Auditors.....	16th January, 1888.	"	
386	To appoint Local Board of Health.....	"	"	
387	To adopt assessment for 1888.....	30th January, 1888.	"	
388	To authorize Mayor to sign agreement with G. T. R. Co., and to attend meetings of H. and N. W. R. Co.....	13th February, 1888.	In force, not printed	
389	To appoint Collector Statute Labor Tax.....	"	Effete.	
390	To authorize the Hamilton Street Railway Company to construct a line on Barton street, from James street to Wentworth street.....	"	Repealed.	
391	Local improvement, sewer on Canada street.....	12th March, 1888.	Effete.	
392	Local improvement, sewer on Ashley street.....	"	"	
393	Local improvement, sewer on Ray street.....	"	"	
394	Local improvement, sewer on Hunter, Cherry and Hannah streets.....	"	"	
395	Local improvement, sewer on East avenue.....	"	"	
396	Local improvement, sewer on Hughson street.....	"	"	
397	Local improvement, sewer on Bay street.....	"	"	
398	Local improvement, sewer on Emerald street.....	"	"	
399	Local improvement, sewer on Market and Caroline streets.....	"	"	
400	Local improvement, cedar block roadway on Main street.....	"	"	
401	Local improvement, cedar block roadway on Emerald street.....	"	"	
402	Local improvement, cedar block roadway on East avenue.....	"	"	
403	Local improvement debentures, to pay City's share of certain.....	"	"	
404	Local improvement debentures, to pay City's share of certain.....	"	"	
405	Local improvement debentures, to consolidate broken amounts.....	"	"	
406	Local improvement debentures, to consolidate broken amounts.....	"	"	
407	Local improvement, cedar block roadway in alley north of King street, Hughson to John.....	"	"	
408	To repeal sections 1 and 2 of Chapter 72 on Shop and Tavern Licenses.....	26th March, 1888.	In force, not printed	
409	To fix salary of Medical Health Officer.....	"	"	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page.
410	To fix rate of taxation for 1888.	9th April,	Effete.	39
411	To regulate weight of bread.	"	In force.	
412	For early closing of men's furnishing shops.	30th April,	Repealed.	
413	For early closing of boot and shoe shops.	"	"	
414	For early closing of men's clothing shops.	"	"	
415	To regulate applications to the Council under the Ontario Shops' Regulations Act.	14th May,	In force.	46
416	For early closing of chemists and druggists' shops.	"	Repealed.	
417	For early closing of grocers and butchers' shops.	28th May,	"	
418	For early closing of watchmakers and jewelers' shops.	"	"	
419	For early closing of musical instrument makers and dealers' shops.	6th June,	Effete.	
420	To issue \$50,000 school debentures.	28th May,	In force, not printed	
421	To appoint Assessors.	1888.	Effete.	
422	To issue \$110,000 debentures for permanent improvements.	11th June,	In force, not printed	
423	To fix office hours.	"	Repealed.	
424	Fixing the salaries of Hospital Steward and Matron and House of Refuge Matron.	"	Effete.	
425	For early closing of barber shops.	25th June,	In force.	1
426	To regulate proceedings of Council.	1888.	"	
427	To provide for the sale of the Walnut street engine house property.	30th July,	In force, not printed	
428	To provide for the construction of a main sewer from Victoria avenue to the Inlet east of Wentworth street.	1888.	"	
429	To levy rates for street watering.	10th August,	Effete.	
430	To repeal By-law 417 for early closing of grocers and butchers' shops.	27th August,	In force, not printed	
431	To fix the salary of the Caretaker of the Crystal Palace.	"	Effete.	
432	To repeal By-law 414 for early closing of clothing shops, and By-law 418 for early closing of watchmakers and jewelers' shops.	"	In force, not printed	
433	To provide that all claims under By-law 428 shall be disposed of by one award.	10th Sept'ber,	"	
434	To repeal By-law 412 for early closing of men's furnishing shops, and By-law 416 for early closing of chemists and druggists' shops.	"	"	
435	To fix the salary of the City Engineer.	29th October,	Repealed.	
436	To repeal By-law 413 for early closing of boot and shoe shops.	1888.	In force, not printed	
437	Appointing R. J. Smith weigher of coal.	26th November	Effete.	
438	Appointing Returning Officers and fixing polling places for Municipal elections.	1888.	"	
439	Respecting the Public Health By-law (Milk).	28th December,	In force, not printed	
440	To establish a Free Library with the assent of the electors.	14th January,	"	
440a	To fix the Mayor's salary.	21st January,	Effete.	
441	To appoint a Free Library Board.	1889.	"	
442	To appoint City Auditors.	"	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
443	To adopt the assessment for 1889.....	28th January, 1889.	Effete.	91
444	To appoint a Local Board of Health.....	"	"	"
445	To fix the salaries of the Sub-foreman and Chemical Engineers of the Fire Department.....	11th February, 1889.	In force.	73
446	To amend chapter 31 of Consolidated By-laws on streets and sidewalks.....	25th February, 1889.	Effete.	"
447	Local improvements, cedar block roadway on Barton street.....	25th March, 1889.	In force.	"
448	Local improvements, cedar block roadway on East avenue.....	"	Effete.	"
449	Local improvements, cedar block roadway on Bay street.....	"	"	"
450	Local improvements, cedar block roadway on Bruce street.....	"	"	"
451	Local improvements, pipe sewer on Catharine and Murray streets.....	"	"	"
452	Local improvements, pipe sewer on Wellington street.....	"	"	"
453	Local improvements, pipe sewer on Hunter street.....	"	"	"
454	Local improvements, pipe sewer on George and Pearl streets.....	"	"	"
455	Local improvements, pipe sewer on Wilson street.....	"	"	"
456	Local improvements, pipe sewer on Victoria avenue.....	"	"	"
457	Local improvements, pipe sewer on Ferrie street.....	"	"	"
458	Local improvements, pipe sewer on Baillie and Hunter streets.....	"	"	"
459	Local improvements, pipe sewer on Macnab street.....	"	"	"
460	Local improvements, pipe sewer on Smith avenue.....	"	"	"
461	Local improvements, pipe sewer on Blythe and Stinson streets.....	"	"	"
462	Local improvements, pipe sewer on Stinson street.....	"	"	"
463	Local improvements, pipe sewer on Stinson street.....	"	"	"
464	Local improvement debentures, to pay City's share of certain.....	"	"	"
465	Local improvement debentures, to pay City's share of certain.....	"	"	"
466	To impose a rate for plank curbing certain streets.....	"	"	"
467	Local improvement debentures, to consolidate broken amounts.....	"	"	"
468	Local improvement debentures, to consolidate broken amounts.....	8th April, 1889.	Repealed.	"
469	To appoint a Caretaker of the Central Market.....	"	"	"
470	To regulate rates for water used for building purposes.....	"	"	"
471	Respecting the Public Health By-law (Milk).....	29th April, 1889.	Effete.	"
472	To issue \$50,000 school debentures.....	"	In force, not printed	"
473	To issue \$50,000 debentures for Public Library.....	29th April, 1889.	Effete.	"
474	To fix rate of taxation for 1889.....	"	"	"
475	To amend section 3 chapter 62 of Consolidated By-laws respecting sale of grain on Central Market.....	13th May, 1889.	Repealed.	"
476	To amend By-law 383 on City Hospital.....	27th May, 1889.	Effete.	"
477	To change the name of certain streets.....	"	In force not printed	"
478	Fixing the salary of the Chief of Fire Department.....	"	In force.	73

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
479	Appointing Assessors.	27th May, 1889	Effete.	
480	Fixing the salary of the Police Magistrate.		"	
481	To provide for renumbering of houses.	10th June, 1889.	In force, not printed	
482	Appointing members of Free Library Board.	29th July, 1889.	Effete.	
483	Appointing G. K. Crosthwaite Resident Physician of City Hospital.		"	
484	Authorizing grants to Hamilton Field Battery and Victoria Rifle Club.	2nd September, 1889.	"	
485	To levy street watering rate.	"	"	
486	Authorizing a grant to 13th Batt. Band.		"	
487	Granting exemptions to the Sawyer Massey Co.	30th September 1889.	In force, not printed	
488	To fix the salary of the City Treasurer.	3rd October, 1889.	"	
489	To fix the salary of Engineer of Waterworks.		"	
490	To appoint Returning Officers and fix polling places for Municipal elections.	11th November 1889.	Effete.	
491	For closing part of North street.	"	"	
492	Authorizing a grant to the 13th Batt.		"	
493	To appoint Caretaker of City Hall and defining his duties.	25th November 1889.	In force, not printed	
494	Appointing House of Refuge Physician.	9th December, 1889.	Effete	
495	Respecting the protection of infant children.	"	Repealed.	
496	Appointing member of Free Library Board.		In force, not printed	
497	Fixing salary of City Clerk.	"	In force.	164
498	Appointing City Auditors.	13th January, 1890.	Effete.	
499	Adopting assessment for 1890.		"	
500	To repeal By-law No. 380 fixing the old Post Office as City Hall.	20th January, 1890.	Effete.	
501	Appointing Local Board of Health.	27th January, 1890.	"	
502	Dividing the City into districts for Board of Works purposes.	"	"	
504	Granting a bonus of \$275,000 to the Toronto, Hamilton and Buffalo Railway Co.	24th February, 1890.	Repealed.	
505	Fixing rate of taxation for 1890.	14th April, 1890.	Effete.	
506	Local improvement, pipe sewer on Colborne street.	"	"	
507	Local improvement, pipe sewer on Maria, Cherry and Hannah streets.	"	"	
508	Local improvement, pipe sewer on Ontario avenue.	"	"	
509	Local improvement, pipe sewer on Alanson street.	"	"	
510	Local improvement, pipe sewer on Hannah street.	"	"	
511	Local improvement, pipe sewer on Wentworth street.	"	"	
512	Local improvement, pipe sewer on Sheaffe street.	"	"	
513	Local improvement, pipe sewer on Picton street.	"	"	
514	Local improvement, pipe sewer on Main street.	"	"	
515	Local improvement, pipe sewer on Murray street.	"	"	
516	Local improvement, pipe sewer on Stuart street.	"	"	
517	Local improvement, pipe sewer on Jackson street.	"	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
518	Local improvement, pipe sewer on Queen and Jackson streets.....	14th April, 1890.	Effete.	
519	Local improvement, pipe sewer on Emerald street.....	"	"	
520	Local improvement, pipe sewer on Wellington street.....	"	"	
521	Local improvement, stone roadway and plank curbing on Herkimer street.....	"	"	
522	Local improvement, cedar block roadway on Herkimer street.....	"	"	
523	Local improvement debentures, to pay City's share of certain.....	"	"	
524	Local improvement debentures, to pay City's share of certain.....	"	"	
525	Local improvement debentures, to consolidate broken amounts.....	14th April, 1890.	Effete.	
526	To impose rate for plank curbing certain streets.....	28th April, 1890.	In force.	137
527	To impose rate for plank curbing certain streets.....	12th May, 1890.	Effete.	
528	To regulate the House of Refuge.....	26th May, 1890.	In force, not printed	
529	Appointing Assessors.....	"	Effete.	
530	Appointing Head Nurse City Hospital.....	1st September, 1890.	"	45
531	Appointing Collector Statute Labor Tax.....	"	In force.	
532	To issue \$50,000 school debentures.....	"	Repealed.	
533	Appointing Building Inspector.....	27th October, 1890.	In force, not printed	
534	Appointing Resident Physician City Hospital.....	"	Effete.	
535	To levy rate for street watering.....	"	"	
536	To regulate transient traders.....	"	In force.	
537	To amend section 5 chapter 41 Consolidated By-laws on Fire Limits.....	"	Repealed.	
538	Changing name of Concession street to Aberdeen avenue.....	"	In force, not printed	
539	To authorize the Hamilton Street Railway Co. to extend their line along Herkimer street to Garth street.....	"	Effete.	
540	To grant the T. H. and B. Railway Co. right-of-way through a portion of Burlington Cemetery.....	30th October, 1890.	"	
541	To amend chapter 31 Consolidated By-laws respecting streets and sidewalks.....	10th November 1890.	Repealed.	
542	Appointing Returning Officers and fixing polling places for Municipal elections.	24th November 1890.	Effete.	154
543	Fixing water rates and rents.....	8th December, 1890.	In force.	
544	Appointing an Assessment Commissioner.....	29th December, 1890.	Effete.	
545	Fixing salary of Matron of House of Refuge.....	"	Repealed.	
546	Fixing time when By-law 543 takes effect.....	"	In force.	154
547	Appointing City Auditors.....	19th January, 1891.	Effete.	
548	Appointing Local Board of Health.....	"	"	
549	To adopt assessment for 1891.....	26th January, 1891.	Repealed.	
550	Dividing City into districts for Board of Works purposes.....	9th March, 1891.	"	
551	Local improvement, cedar block roadway on Ontario avenue.....	"	In force, not printed	
552	Local improvement, cedar block roadway on Grant avenue.....	"	"	
553	Local improvement, cedar block roadway on Herkimer street.....	"	"	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
554	Local improvement, cedar block roadway on Wellington street.....	9th March, 1891.	In force, not printed	
555	Local improvement, pipe sewer on Cannon street.....	"	"	
556	Local improvement, pipe sewer on Oxford street.....	"	"	
557	Local improvement, pipe sewer on Barton and Locomotive streets.....	"	"	
558	Local improvement, pipe sewer on Clark avenue and Burton street.....	"	"	
559	Local improvement, pipe sewer on George street.....	"	"	
560	Local improvement, pipe sewer on Main street.....	"	"	
561	Local improvement, pipe sewer on Oak street.....	"	"	
562	Local improvement, pipe sewer on Kennedy street.....	"	"	
563	Local improvement, pipe sewer on King William street.....	"	"	
564	Local improvement, pipe sewer on Mary street.....	"	"	
565	Local improvement, pipe sewer on Maria street.....	"	"	
566	Local improvement, pipe sewer on New street.....	"	"	
567	Local improvement, plank curbing certain streets.....	"	Effete.	
568	Local improvement, plank curbing certain streets.....	"	"	
569	Local improvement debentures, to pay City's share.....	"	"	
570	Local improvement debentures, to pay City's share.....	"	"	
571	Local improvement debentures, to consolidate broken amounts.....	"	"	
572	Local improvement debentures, to consolidate broken amounts.....	"	"	
573	To fix rate of taxation for 1891.....	30th March, 1891.	"	
574	To fix salary of Engineer at Hospital and to appoint Carrie M. Bowman Head Nurse.....	"	"	
575	Appointing a Relief Officer.....	11th May, 1891.	Repealed.	73
576	To amend chapter 31 Consolidated By-laws on streets and sidewalks.....	26th May, 1891.	In force.	72
577	Assigning Stands for Cabs.....	"	"	
578	To fix salary of Caretaker of Victoria Park.....	"	"	
579	Respecting the consolidation of the City By-laws.....	29th June, 1891.	In force, not printed	
580	To issue general debentures for \$256,000.....	27th June, 1891.	"	
581	Appointing Collector Statute Labor Tax.....	27th July, 1891.	Effete.	
582	To amend By-law 383 on City Hospital.....	31st August, 1891.	"	
583	Respecting the City Solicitors.....	"	Repealed.	
584	To levy rate for street watering.....	"	Effete.	
585	To amend By-law 582 on City Hospital.....	2nd October, 1891.	"	
586	To amend chapter 51 Consolidated By-laws respecting Storage of Coal Oil.....	"	In force.	48
587	Defining Municipal Polling Sub-divisions.....	26th October, 1891.	Effete.	
588	To fix the salary of the Tax Collector.....	"	"	
589	To amend By-law 528 regulating the House of Refuge.....	30th November 1891.	In force.	187
590	Defining Polling Sub-divisions for election to Legislative Assembly.....	"	Effete.	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
591	Appointing Returning Officers and fixing Polling places for Municipal elections	30th November 1891.	Effete.	
592	Assigning Stands for Cabs	14th December, 1891.	Repealed.	
593	To amend By-law 426 regulating the proceedings of Council	28th December, 1891.	Effete.	
594	To amend By-law 590 defining Polling Sub-divisions.	"	"	
595	Appointing Collegiate Institute Trustees	18th January, 1892.	"	
596	Appointing Local Board of Health	"	"	
597	Appointing City Auditors	"	"	
598	To adopt assessment for 1892	25th January, 1892.	"	
599	Appointing member of Free Library Board	"	"	
600	To regulate use of Council Chamber.	29th February, 1892.	In force.	166
601	Respecting the Bell Telephone Co.	"	"	251
602	For the extension of Grant Ave.	"	In force, not printed	66
603	Respecting the John St. Market	"	In force.	
604	Local improvement, cedar block roadway on Cannon street.	14th March, 1892.	In force, not printed	
605	Local improvement, asphalt roadway on West Avenue	"	"	
606	Local improvement, pipe sewer on Pine street.	"	"	
607	Local improvement, pipe sewer on Hunter street.	"	"	
608	Local improvement, pipe sewer on Poulette street.	"	"	
609	Local improvement, pipe sewer on Queen street.	"	"	
610	Local improvement, pipe sewer on Jackson street.	"	"	
611	Local improvement, pipe sewer on Locke street.	"	"	
612	Local improvement, pipe sewer on Canada street.	"	"	
613	Local improvement, pipe sewer on Wilson street.	"	"	
614	Local improvement, pipe sewer on Nightingale street.	"	"	
615	Local improvement, pipe sewer on Pearl street.	"	"	
616	Local improvement, pipe sewer on McNab street.	"	"	
617	Local improvement, pipe sewer on Cheever street.	"	"	
618	Local improvement debentures, to pay City's share.	"	"	
619	Local improvement debentures, to pay City's share	"	"	
620	To impose rate for plank curbing certain streets.	"	"	
621	To impose rate for plank curbing certain streets.	"	"	
622	Local improvement debentures, to consolidate broken amounts	26th March, 1892.	In force.	174
623	Local improvement debentures, to consolidate broken amounts	"	"	
624	Respecting the Hamilton Street Railway Co	28th March, 1892.	"	13
625	To provide for the signing of orders, cheques and other instruments in the absence of the Mayor.	"	"	
626	To amend section 16 of chapter 78 Consolidated By-laws respecting filing of plans in Building Inspector's office.	11th April, 1892.	"	96

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
627	To fix rate of taxation for 1892.	11th April, 1892.	Effete.	
628	Respecting the Street Commissioner's Department.		Repealed.	
629	Respecting the Hamilton Cemetery. Schedule "A" repealed.	13th June, 1892.	In force.	147
630	To change the name of certain streets.		In force, not printed	
631	Defining Municipal Polling Sub-divisions.	27th June, 1892.	Effete.	122
632	To amend section 11 of chapter 64 Consolidated By-laws respecting release of drunken persons.		In force.	
633	Respecting over-hanging or projecting signs.	" "	"	83
634	To amend By-law 583 respecting City Solicitors.		Repealed.	
635	To levy rate for street watering.	29th August, 1892.	Effete.	
636	To fix salary of Matron of House of Refuge.		"	
637	To regulate public processions respecting the carrying of flags.	12th September 1892.	In force.	165
638	Granting a bonus of \$275,000 to the Toronto, Hamilton and Buffalo Railway Co.	20th September 1892.	Effete.	
639	Fixing the license for Ball Alleys.	31st October, 1892.	In force.	113
640	Appointing Returning Officers and fixing Polling places for Municipal elections.	28th November 1892.	Effete.	
641	To amend By-law 640.	12th December, 1892.	"	
642	For the management and regulation of City Parks.	" "	In force.	134
643	Appointing Clerks in Waterworks Office.	9th January, 1893.	In force, not printed	
644	To establish the line of Bay street between Strachan and Simcoe streets.	16th January, 1893.	Effete.	
645	Appointing Local Board of Health.	" "	"	
646	Appointing City Auditors.	" "	"	
647	Appointing member of Free Library Board.	" "	"	
648	Appointing Collegiate Institute Trustees.	30th January, 1893.	"	
649	Adopting assessment for 1893.	13th March, 1893.	"	
650	Fixing rate of taxation for 1893.	27th March, 1893.	In force, not printed	
651	Local improvement, pipe sewer on Margaret street.	" "	"	
652	Local improvement, pipe sewer on Wilson street.	" "	"	
653	Local improvement, pipe sewer on Jackson street.	" "	"	
654	Local improvement, pipe sewer on Euclid avenue.	" "	"	
655	Local improvement, pipe sewer on Chatham street.	" "	"	
656	Local improvement, pipe sewer on Hunter street.	" "	"	
657	Local improvement, pipe sewer on Ferguson avenue.	" "	"	
658	Local improvement, pipe sewer on Magill street.	" "	"	
659	Local improvement, pipe sewer on Main street and Grant avenue.	" "	"	
660	Local improvement, pipe sewer on Macnab street.	" "	"	
661	Local improvement, plank sidewalk on Barton street.	" "	"	
662	Local improvement, plank sidewalk on Earl street.	" "	"	
663	Local improvement, plank sidewalk on Gibson avenue.	" "	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
664	Local improvement, plank sidewalk on Wilson street.....	27th March, 1898.	In force, not printed	
665	Local improvement, plank sidewalk on Aikman avenue.....	"	"	
666	To impose a rate for plank curbing certain streets.....	"	"	
667	To impose a rate for plank curbing Mary street.....	"	"	
668	Local improvement debentures, to pay City's share.....	"	"	
669	Local improvement debentures, to consolidate broken amounts.....	"	"	
670	Local improvement debentures, to consolidate broken amounts.....	"	"	
671	To amend section 8 chapter 75 Consolidated By-laws respecting time for payment of Taxes.....	10th April, 1893.	In force, Effete.	29
672	To amend section 12 By-law 439 relating to Public Health.....	"	"	
673	Appointing a Board of Commissioners under the Toll Roads Municipal Expropriation Act.....	24th April, 1893.	"	
674	Fixing salary of Geo. Hopkin, Clerk in Collector's Office.....	29th May, 1893.	In force, not printed	
675	Fixing the salary of Keeper of Reservoir.....	"	Effete.	
676	Fixing the salary of the Head Nurse at City Hospital.....	"	"	
677	To amend chapter 60 Consolidated By-laws and to make further provisions for weighing of coal.....	12th June, 1893.	In force.	31
678	Fixing salary of R. V. Mathews, Clerk in Collector's Office.....	26th June, 1893.	Effete.	
679	Fixing the salary of the Police Magistrate.....	"	"	
680	For granting a bonus of \$75,000 for the promotion of Iron Smelting Works....	24th July, 1893.	In force, not printed	
681	For granting a bonus of \$25,000 to the Hamilton, Grimsby and Beamsville Electric Railway Co.....	"	In force.	278
682	Fixing the salary of W. A. Kerr, Clerk in the Waterworks Office.....	31st July, 1893.	"	268
683	To levy rate for street watering.....	28th August, 1893.	Effete.	
684	To prevent fraud in sale of milk.....	"	"	
685	To amend By-laws 353 and 582 relating to the City Hospital.....	11th September 1893.	In force.	124
686	Respecting streets in the survey of Robert B. Harris.....	9th October, 1893.	Repealed.	
687	Respecting the Hamilton, Grimsby and Beamsville Electric Railway.....	31st October, 1893.	In force, not printed	
688	Appointing J. W. Edgar Resident Physician City Hospital.....	13th November 1893.	In force.	232
689	Defining Polling Sub-divisions for Municipal elections.....	"	Effete.	
690	Appointing Returning Officers and fixing Polling places for Municipal elections	27th November 1893.	"	
691	Appointing W. R. Leckie Assistant Treasurer and fixing salary of assistant in Treasurer's Office.....	"	In force, not printed	
692	Appointing Lewis McDonald Sanitary Inspector and fixing salary of Clerk in Tax Collector's Office.....	26th December, 1893.	"	
693	To issue \$2,350,000 general debentures.....	8th January, 1894.	"	
694	For the sale to the Bank of Hamilton of the debentures to be issued under the City of Hamilton Debentures Act, 1893.....	"	Effete.	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
695	Appointing member of the Free Library Board.....	8th January, 1894.	Effete.	
696	Appointing Collegiate Institute Trustee.....		"	
697	To amend By-law 426 regulating proceedings of Council.....	15th January, 1894.	In force, not printed	
698	Appointing Collegiate Institute Trustees.....	"	Effete.	
699	Appointing a Local Board of Health.....	"	"	
700	Appointing City Auditors.....		"	
701	Respecting the width of Kinrade avenue.....	29th January, 1894.	In force, not printed	163
702	To limit the number of Tavern Licenses.....	29th January, 1894	In force.	
703	Appointing Court of Revision.....	"	Effete.	
704	Adopting Assessment for 1894.....	"	In force, " "	
705	Appointing place for payment of debentures.....	5th February, 1891.	Repealed.	
706	To amend By-law 628 respecting the Street Commissioner's Department.....	26th February, 1894.	In force	163
707	To limit the number of Shop Licenses.....	2nd March, 1894.	In force, not printed	
708	For widening part of Grant avenue.....	12th March, 1894.	"	
709	For widening part of York street.....	"	"	
710	To fix the rate of taxation for 1894.....	26th March, 1894.	"	
711	Local improvement, plank sidewalk on Fairleigh avenue.....	"	"	
712	Local improvement, plank sidewalk on Chestnut avenue.....	"	"	
713	Local improvement, plank sidewalk on Main street.....	"	"	
714	Local improvement, pipe sewer on Pearl street.....	"	"	
715	Local improvement, pipe sewer on Macnab street.....	"	"	
716	Local improvement, pipe sewer on Milton street.....	"	"	
717	Local improvement, pipe sewer on Aikman avenue.....	"	"	
718	Local improvement, pipe sewer on Crooks street.....	"	"	
719	Local improvement, pipe sewer on Emerald street.....	"	"	
720	Local improvement, pipe sewer on Bold street.....	"	"	
721	Local improvement, pipe sewer on Main street.....	"	"	
722	Local improvement, pipe sewer on Brant avenue.....	"	"	
723	Local improvement debentures, to pay City's share.....	"	"	
724	To impose rate for plank curbing certain streets.....	"	"	
725	To impose rate for plank curbing certain streets.....	"	"	
726	Local improvement debentures, to consolidate broken amounts.....	"	"	
727	Local improvement debentures, to consolidate broken amounts.....	"	"	
728	Appointing a Relief Officer and defining his duties.....	2nd April, 1894.	In force.	25
729	Appointing John Peacock Sanitary Inspector.....	9th April, 1894.	In force, not printed	
730	To amend and consolidate the Fire Limits By-law and the Building By-law, and to provide for the inspection of private drains.....	30th April, 1894.	In force.	96
731	Appointing John Anderson Building Inspector.....		In force, not printed	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
732	Respecting the Hamilton and Dundas Street Railway Company.	30th April, 1894.	Effete.	
733	Appointing Wm. Monk Tax Collector and fixing the salaries of A. T. Neill and W. A. Kerr, Clerks	4th May, 1894.	In force, not printed	
734	To provide for the issue of \$40,000 school debentures.	14th May, 1894.	"	
735	To fix Polling Sub-divisions for taking the votes on By-laws requiring the assent of qualified electors	"	In force, not printed	
736	To amend By-law 426 regulating the proceeding of the Council.	28th May, 1894.	In force.	1
737	To appoint a Caretaker for the Central Market and defining his duties.	"	"	24
738	To amend By-law 780 and to extend the fire limits defined therein.	28th May, 1894.	In force.	96
739	To amend By-law 543 relating to water rates.	"	In force, not printed	
740	Regulating the City Hospital.	"	Repealed.	
741	To establish a Public Park and Boulevard at Burlington Beach.	11th June, 1894.	In force.	135
742	To issue \$20,000 debentures for House of Refuge and Fever House.	27th June, 1894.	In force, not printed	
743	To issue \$150,000 debentures for Permanent Street Pavements.	"	In force.	
744	Fixing the Office hours	"	In force, not printed	
745	To amend the rules of order and chapters 31 and 32 of the Consolidated By-laws and By-law respecting City Hospital.	"	In force.	14
746	To ratify and confirm By-law 738.	"	Repealed.	
747	Respecting Shelters for Motormen	7th July, 1894.	Effete.	
748	Fixing salary of Assistant City Clerk	19th July, 1894.	In force.	169
749	To amend the By-law relating to Pound.	30th July, 1894.	In force, not printed	
750	To amend By-law 624 for the management and regulation of City Parks	13th August, 1894.	In force.	117
751	To levy rate for street watering.	27th August, 1894.	"	134
752	To amend By-law 624 for the management and regulation of City Parks	"	Effete.	
753	Appointing Wm. Connell Clerk in Waterworks Office.	10th September 1894.	In force, not printed	
754	To repeal By-law 689 fixing Municipal Polling Sub-divisions.	"	Effete.	
755	To amend By-law 624 relating to the Hamilton Street Railway Company.	24th September 1894.	In force.	189
756	Granting a bonus of \$225,000 in aid of the Toronto, Hamilton and Buffalo Railway Co.	29th October, 1894.	"	291
757	To amend By-law 590 fixing the Polling Sub-divisions for elections to Legislative Assembly	"	Effete.	
758	Appointing Hospital officials.	12th November 1894.	"	
759	To amend chapter 60 Consolidated By-laws respecting weighing of coal.	26th November 1894.	In force.	31
760	Defining Municipal Polling Divisions	"	Effete.	
761	Appointing Returning Officers and fixing Polling places for Municipal elections	14th December, 1894.	"	
762	To extend the time for the completion of the Iron Smelting Works.	31st December, 1894.	"	
763	To amend By-law 759 on Municipal Polling Sub-divisions.	"	"	
764	To amend By-law 760 fixing Polling places.	"	"	
764	Appointing a member of the Free Library Board	14th January, 1895.	"	

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
765	Appointing Collegiate Institute Trustees	14th January, 1895.	Effete.	
766	For acquiring a Public Park north of Barton street, between Wentworth street and Sanford avenue	"	In force, not printed	
767	Appointing a Local Board of Health	21st January, 1895.	Effete.	
768	Appointing Collegiate Institute Trustees	"	"	
769	Appointing City Auditors	25th February, 1895.	In force, not printed	30
770	Appointing John Field Engineer at House of Refuge and defining his duties	"	In force.	
771	To fix the time for the return of the Collectors' Rolls	"	Effete.	
772	To extend the time for the completion of the Iron Smelting Works	15th March, 1895.	"	
773	Appointing a Court of Revision	"	In force, not printed	245
774	To fix the rate of taxation for 1895	25th March, 1895.	In force.	
775	Respecting the Hamilton, Grimsby and Beausville Electric Railway Company	"	In force, not printed	
776	Adopting the Assessment for 1895.	8th April, 1895.	Effete.	
777	For the erection of a City Jail	"	In force, not printed	
778	Local improvements, pipe sewers on Crooks, Ray, Cannon, Victoria avenue, Grove, Napier, Young, Dominion, Markland, Fairmount avenue, Sanford avenue, King William and Picton streets.	"	"	
779	Local improvements, plank sidewalk on Earl street, Sanford avenue, Hannah street, Chestnut avenue and Main street	"	"	
780	To impose rate for plank curbing certain streets.	"	"	
781	Local improvement debentures, City's share	"	"	
782	To impose rate for grading and ditching Birch Avenue	"	"	
783	Appointing a Collector of Statute Labor Tax	"	Effete.	
784	To extend the time for the return of the Rolls in the Collector's hands.	30th April, 1895.	"	
785	To issue debentures for \$36,000 to build a Jail	13th May, 1895.	In force, not printed	120
786	To make provisions respecting indecent posters and to regulate public bathing.	27th March, 1895.	In force.	
787	To require the Hamilton Street Railway Company to use Fenders on their cars running through the City.	10th June, 1895.	"	166
788	To require the Hamilton, Grimsby and Beausville Electric Railway Company to use Fenders on their cars running through the City.	"	"	168
789	To designate certain streets to be watered.	"	Effete.	96
790	To amend By-law 730 on Buildings and Fire Limits	24th June, 1895.	In force.	147
791	To amend By-law 629 relating to the Hamilton Cemetery.	"	"	287
792	To extend the time for the completion of the Iron Smelting Works	"	"	157
793	To regulate the consumption of water for lawns and gardens	"	"	16
794	Respecting the City Law Department.	"	Effete.	
795	To fix the salary of A. T. James, Clerk in Waterworks Office	"	"	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
796	To amend chapter 31 of Consolidated By-laws respecting display of goods on street .....	8th July, 1895.	In force.	73
797	To amend By-law 793 respecting the consumption of water for lawns and gardens .....	" "	"	157
798	To amend chapter 31 Consolidated By-laws on streets and sidewalks .....	" "	"	73
799	Exempting the Hamilton Bridge Works Company from certain taxes .....	" "	"	304
800	To amend By-law 784 extending the time for return of Collector's Roll .....	29th July, 1895.	Effete.	
801	To amend chapter 31 Consolidated By-laws respecting streets and sidewalks ..	" "	In force.	73
802	To levy rate for street watering .....	26th August, 1895.	Effete.	
803	To fix the salary of Wm. Anstey, Overseer of the Waterworks .....	30th September 1895.	In force, not printed	
804	To amend chapter 62 Consolidated By-laws on Central Market .....	28th October, 1895.	Repealed.	
805	To issue debentures for \$50,000 Collegiate Institute .....	" "	In force, not printed	
806	To fix the salary of the Matron of House of Refuge .....	" "	Repealed.	
807	Appointing James Farrell weigher of coal .....	11th November 1895.	In force, not printed	1
808	To amend By-law 426 regulating the proceedings of the Council .....	" "	In force.	43
809	To amend chapter 73 Consolidated By-laws on Hawkers .....	" "	"	
810	To define Polling Sub-divisions for Municipal elections .....	25th November 1895.	Effete.	
811	Appointing Returning Officers and fixing Polling places for Municipal elections	25th November 1895.	"	
812	To appoint a caretaker at the City Hall and to regulate his duties .....	9th December, 1895.	In force.	23
813	To amend By-law 426, regulating the proceedings of the Council .....	13th January, 1896.	Repealed.	
814	Appointing members of the Free Library Board .....	" "	Effete.	
815	Appointing a local Board of Health .....	20th January, 1896.	"	
816	To repeal By-law No. 745 on Council proceedings, constituting the Mayor a member of all Committees .....	" "	Repealed.	
817	Appointing Collegiate Institute Trustees .....	" "	Effete.	
818	Appointing City Auditors .....	" "	"	
819	To amend sec. 11 of chap. 70, C. B. L. on Roller Rink licenses .....	27th January, 1896.	In force.	113
820	For exempting manufacturing establishments from taxation on machinery, plant and tools .....	" "	Effete.	
821	To appoint a Court of Revision .....	" "	"	
822	To adopt assessment for 1896 .....	" "	"	
823	Respecting the bonuses granted for the promotion of Iron Smelting Works .....	10th February, 1896.	In force, not printed	290
824	To levy rate of taxation for 1896 .....	9th March, 1896.	In force, not printed	
825	Local improvements, pipe sewers on Simcoe, Main, Hunter, Market, Cannon, Napier, Peter, Sophia and Lock streets .....	" "	"	
826	Local improvements, Cement sidewalks, on King and James streets .....	" "	"	
827	Local improvement, Plank Sidewalk on Barton street .....	" "	"	
828	Local improvement Debentures, City's share .....	" "	"	
829	Local improvement Debentures, City's share .....	" "	"	



By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
830	To impose rate for plank curbing certain streets.....	9th March, 1896,	In force, not printed	
831	To impose rate for plank curbing certain streets.....	" "	"	
832	Local improvements, removing sidewalk, Hess street.....	" "	Effete.	
833	Appointing a collector of Statute Labor Tax.....	30th March, 1896,	In force, not printed	
834	Appointing Jas. G. Davis central market clerk.....			
835	Appointing Paul Stuart clerk of John street market.....	13th April, 1896,	Effete.	217
836	Designating certain streets to be watered.....	" "	In force.	
837	Respecting the Hamilton Radial Electric R'y.....	27th April, 1896,	In force, not printed	52
838	To issue debentures for \$85,000, Collegiate Institute.....	11th May, 1896,	In force.	
839	To regulate the central market and sale of fresh meat.....	" "	In force, not printed	165
840	Respecting the extension of Tisdale street.....		In force.	143
841	To prohibit the lending of city plant.....	18th May, 1896,	In force, not printed	
842	To place control of City Hospital under Board of Governors.....	26th May, 1896,		
843	To fix the salary of the Building Inspector.....			
844	For granting to the T. H. and B. R. Co. the right-of-way through a portion of Burlington Cemetery.....	9th June, 1896,	Effete.	
845	To collect the cost of removing snow and ice from the sidewalks.....	11th June, 1896,	"	
846	Designating certain streets to be watered.....	" "	In force, not printed	142
847	Appointing Inspectors of places of business other than factories.....	" "	In force.	
848	For regulating City Jail.....			
849	To issue debentures for \$85,000 for the establishment of Sewage Interception Works.....	29th June, 1896,	In force, not printed	273
850	Relating to the Hamilton, Grimsby and Beamsville Electric Railway Company	20th July, 1896,	In force.	
851	Appointing E. G. Barrow City Engineer.....	" "	Effete.	
852	To amend By-law 64 relating to the Hamilton Street Railway Company.....		"	
853	To levy rate for street watering.....	31st August, 1896,	In force, not printed	86
854	To establish Sewage Interception Works at the outlet of the East End Sewer.....	12th October, 1896,	In force.	304
855	Respecting the cutting, trimming or removal of trees.....			
856	For exempting the Westinghouse Co. from certain taxes.....	26th October, 1896,	Repealed.	27
857	To amend By-law 855 on cutting, trimming and removal of trees.....	2nd November, 1896,	In force.	
858	To classify Clerks and regulate their salaries.....	30th November 1896,	Effete.	52
859	Appointing Returning Officers and fixing Polling places for Municipal elections.		In force.	
860	To amend By-law 839 regulating the Central Market.....	14th December, 1896,	Repealed.	
861	Relating to the employment of Inspectors, Foremen and Workmen.....	" "	In force.	
862	Respecting the Hamilton and Milton Road Company.....			
863	Respecting the duties of the Chief Engineer of the Sewage Disposal Works at the East End Sewer.....	28th December, 1896,	Repealed.	21
864	To amend By-law 730 as regards private drains.....	" "	In force.	96

By-law No.	TITLE.	WHEN PASSED.	REMARKS.	Page
865	Respecting the Construction of sidewalks .....	28th December, 1896.	In force.	80
866	Appointing City Auditors .....	"	Effete.	
867	Appointing a Superintendent and Matron of the House of Refuge .....	"	In force, not printed	
868	Appointing Collegiate Institute Trustees .....	11th January, 1897.	"	
869	Appointing a member of the Court of Revision .....	"	Effete.	
870	Appointing members of the Free Library Board .....	"	In force, not printed	
871	Adopting Assessment for 1897 .....	"	"	
872	Appointing two members on the Board of Health .....	"	"	
873	Appointing City Auditors .....	"	"	
874	To close an Alley in Mary Lindner's Survey .....	25th January, 1897.	Effete.	
875	Respecting Carter's Stand and Shelter on Vine St .....	8th February, 1897.	In force, not printed	
876	Exempting the McPherson Boot and Shoe Factory .....	"	Repealed.	
877	Exempting the Manufacturing establishment of Dowsell Bros. & Co. ....	"	In force.	305
878	To levy rate of taxation 1897 .....	22nd February, 1897.	"	306
879	To amend By-Law 878, rate of taxation .....	8th March, 1897.	In force, not printed	
880	Appointing Jno. T. Hall Assessment Commissioner .....	"	"	
881	Local improvements. Cement sidewalks on portions of King and James Sts ..	"	"	
882	Local improvements. Pipe sewers on Stanley Ave., Herkimer, Peter, Nelson, Alanson, McAulay, Catharine, York, Florence, Wellesley and Maria Sts ..	29th March, 1897.	"	
883	Local improvements. Pipe sewer on Mary Street .....	"	"	
884	Local improvements, to impose rate for curbing certain streets .....	"	"	
885	Local improvements, to impose rate for curbing certain streets .....	"	"	
886	Local improvement debentures, City's Share .....	"	"	
887	Local improvement debentures, City's Share .....	"	"	
888	To designate certain streets to be watered .....	"	"	
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890	For exempting manufacturing establishments from taxation on machinery, plant and tools .....	"	In force.	
891	For early closing of shops, known as retail boot and shoe shops .....	26th April, 1897.	Effete.	47
892	Appointing T. H. Baile, M. D. Jail Surgeon .....	10th May, 1897.	In force.	
893	Respecting the Cataract Power Company of Hamilton Limited .....	"	In force, not printed	
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898	To close Aurora street, from Maria street to Young street .....	28th June, 1897.	"	
899	To amend By-law 839 respecting the Central Market .....	"	Repealed.	

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901	To amend By-law 875 respecting the Carters Stand and Shelter on Vine street ..	" "	Repealed.	
902	To amend By-law 899 respecting the Central Market .....	19th July, 1897.	In force, not printed	73
903	To issue debentures for \$25,000 for road, Burlington Heights .....	2nd August, 1897.	In force.	
904	Respecting streets and sidewalks .....	30th August, 1897.	Effete.	
905	To levy rate for street watering .....	" "	In force, not printed	
906	Appointing Thos. Morrison Clerk in the Tax Collector's office .....	13th September 1897.	Repealed.	
907	To regulate the use of wagon brakes .....	27th September 1897.	In force, not printed	87
908	To amend By-law 794 respecting the City Law Dept. ....	25th October, 1897.	In force.	
909	To amend By-law 797 regulating the use of wagon brakes .....	8th November, 1897.	Effete.	
910	Respecting the Electrical Power and Manufacturing Co. of Hamilton, Limited.	29th November 1897.	" "	
911	To define Polling Sub-Divisions for Municipal Elections .....	" "	In force.	52
912	Appointing Returning Officers & fixing the Polling places for Municipal Elections	13th December, 1897.	Effete.	
913	To amend By-law 836 regulating the central market and the sale of fresh meat.	" "	" "	
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916	Respecting the Cataract Power Co. of Hamilton, Limited. ....	10th January, 1898.	In force, not printed	
917	Respecting the duties of the Chief Engineer of the Ferguson Avenue Sewage Disposal Works, (included in 863) .....	" "	" "	
918	Appointing members of the Board of Health .....	" "	" "	
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922	Appointing Collegiate Institute Trustees .....	14th March, 1898.	In force, not printed	
923	Adopting Assessment for 1898 .....	28th March, 1898.	In force, not printed	
924	To abolish the statute labor tax .....	" "	" "	
925	To regulate the time for payment of salaries .....	" "	" "	
926	To fix the rate of taxation for 1898 .....	" "	" "	
927	Local improvements, pipe sewers, on Homewood Ave, Hannah, Lock and George Bay, Walnut, Picton, Main and Murray Sts. ....	" "	In force, not printed	
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929	Local improvements, Cement sidewalk, Market Square .....	" "	" "	
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931	Local improvements, Plank sidewalks on Barton Street .....	" "	" "	
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933	Local improvements, To impose rate for plank curbing certain streets .....	" "	" "	
934	Local improvement debentures, city's share .....	" "	" "	
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941	Relating to the Hamilton Cemetery.	"		
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943	For granting exemption to Geo. E. Tuckett & Son, limited.	"	In force.	73
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947	For granting to the Hamilton Blast Furnace Co. Limited, a deed of confirmation and release of certain lands.	29th August, 1898.	In force, not printed	
948	To levy rate for street watering.	"	"	
949	To appoint an Inspector under the Act respecting noxious weeds.	"	In force.	31
950	To bring into force the Act of 1898 respecting Voters' List in certain cities.	12th September 1898.	Effete.	
951	Defining polling sub-divisions for elections to Legislative Assembly.	"	In force, not printed	31
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# **Memorandum.**

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